



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

NYPL RESEARCH LIBRARIES



3 3433 06736966 4



Francis Edward Trevelyan

E1
Hoxed

257



Francis Edward Freeland.







To the Right Honourable,
THE LORD FAIRFAX,
AND
His **COVNCELL OF VVARRE:**
THE
HUMBLE ADDRESSE
OF
HENRY HAMMOND.

Cornelius Paine
Brighton



NEW YORK
PUBLIC
LIBRARY

L O N D O N,
Printed for Richard Royston in Ivie Lane.
M. DC. XL. IX.

7.3.1957

15.12.1957

THE NEW YORK
PUBLIC LIBRARY

AND
JULIEN S. LEVINE
LIBRARY
1897

NEW YORK
PUBLIC
LIBRARY



Transferred to the
New York Public Library

1957



My Lord, and Gentlemen,



Having by the Weekly occurrences of your proceedings, not onely taken notice of the weighty matters which you have of late chosen to be the subject of your Debates, such as never any Councell in this Kingdome are knowne to have taken into their cognizance, or consideration; but withall, discern'd the cheerfull and hospitable reception of one meane Persons advice, which pretended to have received some counsell from God to communicate to you: And having also as sincere a desire and zeale to your good, (testified by my daily prayers to God, that he will incline your hearts to thoughts of true Christian meeknesse and charity) and consequently, as deep an interest in the due management of your affaires, as any others; and as great an assurance, that what I shall say to you, proceeds from a peaceable, and an humble spirit; and which tends more immediately to your welfare, and honour, both before God and man, than any thing which is knowne of late to have been represented to you, And lastly, having among you some of the nearest of my blood, whose eternall weale must needs be very deare and pretious to me; I am in the feare of God, and the prosecution and discharge of my duty and conscience, desirous to make this short addresse to you, to desire you, in the name, and in the bowels of *Iesus Christ*, and by all the obligations of Christian duty and Charity, to review some of the principles by which you seeme to be acted, and whereon to ground the high enterprises which you have now in hand.

And 1. whereas you seem to believe, that *God by his Spirit hath put it into your hearts to doe what hitherto you have done, and what now you professe to deliberate to doe further against His MAJESTY, and all others, who are now fallen into your hands;* I beseech you to consider, in the presence of that God, to whose directions and Spirit you pretend, what safe ground you have for so doing: for, I shall suppose that the plaine words of Scripture are not that voice of *the Spirit* which is your onely guide in this matter; or if it be, I desire that Charity from you for my selfe and others, that you will point us out those Scriptures: and I must professe to believe you bound in duty to God, and man, and to your selves, to satisfie this desire, to produce that voice of *the Spirit* in the received Scriptures of God, which may say that to other Christians also which it appears to doe to you: But if *Gods Spirit* be by you conceived to have spoken to you any other way than in, or by some part of *the written Word*; Then my second request is, that you will declare to others the ground of this your perswasion, that you have received any such Revelation from God; that so *that pretended Spirit* may according to *the rules prescribed by God in his acknowledged Word* be tried and examined regularly, *Whether it be of God or no*, before the subject-matter of such Revelation be believed infallible, or accordingly built upon by you as your warrant or principle of acting any thing: For, there are *evill Spirits* that come into the world, and which many times are by God permitted to seduce men, and that they may doe so the better, they constantly pretend to come from God, and assume divine Authority to recommend and authorize their delusions; (a thing so ordinary in all Ages, that the Poet that would expresse the Imbroyling of a Kingdome, thinks he cannot doe it better than by bringing in Aletto, a Pury, with a Message from Heaven, to avenge such, or such an injury.) And of these our Saviour forewarns us, and tells us, that *we shall know them by their fruits*; and so directs us to judge of the truth of their pretensions by the goodnesse & commendablenesse, at least, justifiablenesse of their *actions*, and not to judge of their *actions* by their *pretences*. And besides these *evill Spirits* from without, there is also an *evill Spirit* within, a great deale of disguised wickednesse in the heart of man, which when

it remains unmortified in those who believe themselves to be *Gods chosen Saints, and taught by him*, is very apt to be mistaken for an inclination of *Gods Spirit*, and a *flame of zeale*, when it is really the most contrary to it; and because there is so much danger, that what is not fetcht from the acknowledged Word of God, may thus flow from one of these contrary principles, My next request is, that it be considered, Whether when an *Angel from Heaven*, in case he should teach any other Doctrine, than what had been by Saint PAUL preached to his Galathians, were to be *anathematized*, and when the judgements are so fearfull, which are pronounced against them which shall add to the Words of that Prophecie, which we now retaine under the Title of the *Apocalyps or Revelation*, (which being the last Writing which is knowne to be dictated by the Spirit, may very probably containe a severe denuntiation against all those, who pretend to any Revelation or Prophecie after that, concerning the Christian Church) whether, I say, it be not a matter of feare and just apprehension, to all those, who shall affix, or impose upon the Spirit of God (or pretend to be revealed to them from that) any matter of Doctrine or Practice, which acknowledges not the Spirit of God speaking in the Scripture for its onely warrant or foundation? Or lastly, if from the Scriptures you conceive it may be proved, that any part of the *Unction* mentioned there so farre belongs to you, that it shall surely lead you into all truth; then first, I beseech you to consider, whether you doe not oblige your selves by the same, or some other Scripture to prove to others. (and not onely your selves to be perswaded) that you are those speciall Saints of God, to whom that priviledge peculiarly belongs, and as clearly to demonstrate that all others who conceive that that *Unction* teaches them directly the contrary to that which you professe to be taught by it, are impious Persons posselt with that deluding Spirit, which I now desire you to beware of. And secondly, to examine whether this differencing of your selves from others; this bearing witness to your selves, and judging others (beside that, it will look like an act of most Pharisaical Presumption, and the very thing, which from Simon Magus downward, hath been observed in all Hereticks, calling themselves the Spirituall, and all others Animal, carnall Men) will not be also a great injustice at

this time toward them who pretend not to learn any thing from this Unction, but what they receive from the Doctrine of the Gospel, in those Books, which have in effect, and in the last result, the testimony of God from Heaven, that they are his true infallible Word, and dictate of his Spirit, and which desire to make no other use of this to their owne advantage, but onely to preserve them in a quiet possession of what by Law belongs to them, & a capacity of making good their Allegiance to Him, to whom they have often by Law been required to swear it.

A second Principle which I must desire you to review, is that, upon which you conclude *that God hath born testimony to your cause by the many Victories which he hath given you*; This concluding of yours, first, proceeds upon a premise directly false in matter of fact: for, you say, *that the KING by taking up Armes made His appeale to Heaven*; which 'tis most certaine that he never did, (but onely used a strength which God put in his hands to repell them, whom He looked on as His Subjects declining their duty to Him, and invading the settled Lawes, and never referred the right of the Cause to be judged by the successe of His Armes) nor indeed could rationally have occasion to doe so; any more than any one of you would make such appeale, when a violent Person should invade, what you conceive to be your undoubted right: nor could He religiously, or Christianly have done this, when those Lawes that allowed of such appeals by *Ordeale*, or *Duel*, and the like, have been justly censured as *unchristian and barbarous*. Nay Secondly, this concluding of yours will by the same reason inferre that Christianity is not, and that Mahumetisme is the true Religion, because when the Turks asserted one, and the Greeke Church the other, and that difference begat a Warre betwixt them, 'tis cleare that the Turks were successfull, and the Greeke Church was most sadly wasted and subdued by them, and so remaineth to this houre in that unreturn'd Captivity. Which will therefore be a fit opportunity to make you revert to the trying of that Spirit (which inclines you thus to argue) by this touchstone. 1. by considering & examining whether in the written Word any thing be more frequent and visible than *the sufferings of Gods people*, the *shedding the blood of the Saints*, the *fastning*, all kind of contumelies on such, particularly that reproach of *blow*
blondy

bloudy man] upon David, who was a King after Gods heart, the sending or permitting an Host against the daily sacrifice to cast downe the truth to the ground, and to practice and prosper. 2. Whether it were not *Rabshakeh's* Argument against the Peoples adhering to their lawfull King *Hozekiah*, that his Masters Armes had been invincible? 3. Whether that saddest fate of *Nebuchadnezzar*, who for conquering of Gods people, and others, was by God siled [his Hammer, and Battleaxe of the whole earth,] may not be expected the final lot of others also; first, to destroy men, & then to be cast out into the field, to inhabit among Beasts? 4. Whether it were not a crime complained of by the People of God, in those, which, when God was a little displeased, did as Adversaries help forward this affliction? And 5. Whether the Psalmist lay not the like ill character on all, who persecute those whom God hath smitten, and talks how they may vex them whom God hath wounded? By all which it is most evident, (without any necessity of defining or demonstrating, any thing of the justice of the Cause) that most commonly the prosperity of Arms hath not been the lot of the most righteous, but that either the chastisement of the Sword is, thought fit to be their discipline, or the comforts of Peace (and not the triumphs or Warre) their blessing in this life.

The third Principle is, your persuasion that the community of the People is the supreme power; and that the KING is inferior to them, and to them accountable for his breach of Trust, of which you now affirm him guilty. In this proceeding of yours, there be many things worthy of your serious pondering: As whether 1. by Scripture? or 2. by Reason? or 3. by Story of times it can be concluded, that the Supreme Power was ever by God put into the hands of the community of the People? For the first way of concluding it, (the testimony of Scripture) I cannot but take notice of one place, which hath been produced to that purpose, 1. Pet. 2. 13. Be subject to every humane Ordinance, or Creature, or Creation, &c. This place I have some reason to believe to carry some weight with you, because it was 6 yeares since for the justifying the Cause against the KING'S Party, produced by a Person of great dexterity, That very Person, who hath now undertaken to justify your late proceedings, so farre as not onely to clear them from

from all blame, but also to pretend to demonstrate the honour and worth of them, and to lift them up to an high pitch, not onely, 1. of a blessed victory (the highest that Christians are appointed to aspire to) of overcoming evil by doing good: But 2. of calling to mens minds the unparellable example of the Lord Jesus Christ, who went downe into the Chambers of death, from thence to bring up with him a lost world: And 3. of being a lineament of the face of Divine goodnesse, in the doing good to so many, as well Enemies, as Friends: And 4. deserving that place at the Table of Honour, which the Roman Orator saith, all Nations bestowed on the Assertors of their Countries liberties, even next to the immortall Gods themselves: And 5. of imitating the method of the welfare of Heaven, and seeking to reconcile a Nation to themselves by not imputing their unthankfulnesse. The largenesse and exorbitancy of these expressions I was my selfe so amaz'd at, that I cannot but mention them to you (by the way) as matters of horror, which like the Peoples acclamation to Herod, or the Lycaonians to Paul and Barnabas, if they beget not in you a just indignation with the latter, may very probably bring the just fate of the former upon you, *to be eaten up with Wormes*, (after you have been thus deified) now, that you have no other visible Enemy but your selves, and such Flatterers, (that I say no worse) to appeare against you; Having craved you pardon for this not unseasonable excursion, I returne now to the view of that Scripture, produced from Saint Peter, to prove Kings to be a creation, or creature of men, and so their power to be derived from the People. To which I Answer, 1. That there is a signall character in that very Text, that keeps it from concluding the Supream power to be originally in the People, not onely by calling the King in the end of that Verse, *Supreme*; such as in S. Paul's divinity, Rom. 13. are affirmed to be ordained of God, and so no humane Ordinance, but also by distinguishing the Governours; v. 14. from the King or Supreme, v. 13. by this that the Governours are sent by (i. e. have commission from) the King, which might in like manner also be affirmed of the King, that he were sent by the People, if He were the Creature, or creation of them, but is not so much as intimated by that Apostle; but on the contrary, supremacy affixt to Him, and subjection commanded to be paid Him (not for the Peoples, but for the Lords sake) as subordination

tion to, and *mission* from the *King*, is affirm'd of all other *Magistrates*. But then 2. to take away all colour of plea for *populacy* from this Text, it is to be observed what is the meaning of the Greek word in the New Testament, which is there rendred * *ordinance*, or *creature*, or *creation*. That word when it is set in its largesse without any restraint, signifies generally, *all mankind*, Gentiles, as well as Jewes. Thus [*the creation*] and [*the world*] are all one and [*all the creation*] (or *every creature*) *Mar.* 16. 15. the same with [*the whole world*] in the beginning of that Verse, and [*all Nations*] in the parallel places of Saint *Matthew* and Saint *Luke*. And thus *Rom.* 8. 19. [*the expectation of the creature, or creation*] is the hope which the *heathen world* had, that at the *revelation* of the gracious priviledges of the *Messias*, they (*i.e.* the *Gentiles*) also should be freed from the slavery of corruption (their villainous heathen sinnes) unto the liberty, &c. that true liberty not from obedience to Superiours, but from slavery to lusts and passions, which Christ came to bestow upon us; And so when *v.* 22. 'tis added, that the *whole creation* groanes, &c. the cleare meaning is, that the *Gentiles* as well as *Jews*, did thus, as might be evidenced at large. Agreeable to this notion of the *whole creation*, or *every creature*, is the same phrase (with the addition of *humane*, to take off all restraint, and to extend it as far as all mankind) to be understood, and so the meaning of the precept of Saint *Peter* to his *Jew-Christians* is clearly this, and no more, that they must be obedient not onely to *Christian Magistrates*, but to *Gentiles*, *Heathen* also, (such as they should fall under in all their *dispersions*) *i.e.* to all whatsoever they were and that for the *Lords sake* who constituted those *Heathens* also, as Saint *Paul* saith. If to this it shall be objected, that by this way of interpreting, the precept will be extended so, as to subject us to *all Heathens*, and not onely to *Magistrates*: I answer, that this, which is the onely objection against this interpretation, is of little force, and is answered, 1. by observing the word [*be subject*] which relating to *Magistrates* will require our obedience to none, but those, as *v.* 17. when he commands to *honour all*, it must be understood, all to whom *honour belongs*; Superiours, not Inferiours: or as, when *ch.* 5. 5. he commands them to be *subject to one another*, it must not be understood, that the *Superiour* must be subject to the

Inferiour, as the *Inferiour* to the *Superiour*, but as the nature of the duty inforces to interpret, the *Inferiour* to be subject to the *Superiour* onely: and 2. by the Apostles expresse enumeration of those to whom this obedience must be paid in the end of the Verse, *to the King as Supream*, and then v. 14. *to Governours*, as *inferiour Magistrates sent by Him*. That this is the full importance of that place, may (if there be any need) farther appeare by the occasion of the Apostles discourse, which was confuting of the vile Sect of Christians then calling themselves *Gnosticks*, (as a title of great perfection of *knowledge in thy Mysteries of Heaven*) who taught the doctrine of *liberty and manumission to Christian Subjects or Servants*, from Heathen (yea and *Christian*) *Masters and Kings*; To which false doctrine of theirs this Exhortation thus interpreted is directly contrary (and cannot otherwise be pertinent to it) and very coherent to that Admonition in the 12. ver. immediately preceding, of *having their conversation good among the Gentiles, that they might not speak ill of them as evill Doers*; which they would be justly apt to doe, in case they should withdraw their *obedience to their lawfull Princes*, as soone as they were become *Christians*; which, by the way, laies a very ill character upon those, who by pretence of *Christianity, or Piety*, seek, or claime to themselves any other *liberty* than what by the *Laws* under which they are borne, doth confessedly belong unto them.

Having thus farre enlarged to cleare that testimony of Scripture, and not knowing of any other which is thought favourable to your pretension, I shall, in stead of retorting the multitude of plaine places directly opposite, which will abundantly take away all force from this, proceed next to the second plea, that of *Reason*. And there I shall desire you to consider, 1. Whether if *Adam* had never fallen, and his posterity remained in the same *innocence*, they would not yet have been capable of *positive precepts* in order to civill life; and consequently, whether in reason some one or more men should not have had superiority over all others, Parents over Children, and the like; and to this purpose, whether the divers Orders, and subordination of the Angels, that never fell, be not an evidence that even in state of innocence, God designed superiority, not equality. But then 2. The passions of
men

men being through sin grown irregular, and so needing Rules and Lawes, and Rulers and Law-makers, it was both reasonable, that God should, and is most certaine that he did designe and appoint Government (as appears by what is said by God to the first Woman, and second Man, to *Eve*, *Gen. 3. 16.* and to *Cain*, *Gen. 4. 7.*) and so gave not all men that freedome which is the supposed foundation of that Doctrine, which places *Supreme power in the People*. And of any rationall Person, that yet thinks he did give this freedome to all mankind, I should but aske this one Question, *Whether ever any man were by God or nature invested with power of his owne Life?* I meane, *with power to take away his owne Life, or to Kill himselfe?* in every thing else Man may be believed to have a power over himselfe, over his Body, to cut or lance it, when that is for his turne, and particularly over that *freedome* which naturally belongs to him; whatever the degree of that be, a man may by act of his owne will, part with it irreversibly. Thus might the Jew under Gods owne Government give himselfe up wholly into the power of his Master, and by having his *Eare bored thorow*, become from a *Freeman*, a *Slave for ever*, and generally thorow the whole world the course hath been the same, that he which is most free hath power over his owne liberty so to divest himselfe of it, as that it shall never revert to him againe; and our *Saviour* that is thought to have brought *liberty* into the world, doth yet, by the quality of most of his *precepts*, given to Christians by himselfe and his Apostles, marke out this condition of *subjection* to them, as that under which they were generally to live, and from which the *Christian Profession* should be so farre from freeing them, that the strict practice of *obedience* to heathen Rulers or Masters, is oft prescribed as a speciall meanes to advance Christs maine end, to magnifie and promote the Gospel. But for power over a mans owne life no man can be believed to be borne with it, for if he were, he might then as lawfully *kill himselfe* (and if he might do it *lawfully*, there are many cases which might make it prudent for him to do it at some times) as *pull out an aking Tooth*, or dispose of his Liberty or Estate out of his owne Possession; a thing which no Christian hath ever thought lawfull, but made this *felonia de se*, this selfe-murther, or felony against ones self, a crime, as contrary

to the sixth Commandement, as *the killing of any other man*. Having proceeded thus farre, I shall now take that for granted, which, that I know of, is denied by none, I am sure, which is not denied in the publish'd scheme of the designed *Representative*, viz. *that the Supreme power includes the Power of Life* (I meane not such an *Arbitrary power of killing whom they please without sin*, but a *power of putting capitall Malefactors to death*, and so a power over every (call it *Subjects* or *Free-mans*) *life* in case of *Capitall crime*.) And the granting of this (as 'tis too visible that it is by you a granted *truth*) being added to the former, doth to me irrefragably conclude, that *the Supreme power* neither is, nor can be in the *community of the People*, or in their *Representative*, by force meerly of *their originall*, or *naturall liberty*; The inference is cleare, because *the power of life* which is part of *the Supremacy*, is not part of *that naturall liberty*, and therefore is neither inherent naturally in that *Community of men*, (which is but, in other words, so many particular men together, indowed with that power (and no more) which every man hath *singly* over himself) nor consequently by them communicable to any *Representative*. And by this also it appeares, that *supreme Magistracy*, wheresoever 'tis truly placed, in the *Ordinance*, and *creation of God*, (who alone hath power of all mens *lives*) and not of *man*, who hath no power of his owne, much lesse of any others life, any farther then he is a *Representative*, or *Proxy*, or *Deputy of God*, (who hath that *Power*) not of *the People*, who have it not. For it is possible I may put you in mind of an evident truth, which perhaps you have not taken notice of; That, as the *originall of Government* in any particular place cannot be imagined to be by any more than 2 waies, Either by *Gods designment*; or, *the Peoples act*, so in either of those two cases 'tis *God onely*, and not the *People*, that gives the power of the *Sword*, or power of *Life* to the *Governour*; when *God himselfe* sets a *King* over men 'tis so cleare that *He* thus impowers that *King*, that that need not be proved; and when the *community of a People* (suppose in the *Originall*, ten men in the *freedom of nature*) chuse one of themselves, or more to rule over them, 'tis cleare, they doe not invest Him with more power than themselves had; and that *He* that was thus chosen by them, hath the power of *Life* over any of them (which they single, or all together

in

in the *community* had not) must needs come from some other, and not from them ; and if you will know *from whom it comes*, I Answer, that it comes from *Gods appointment* (for the *œconomy* of the world) that the *supreme Magistrate* shall as *his Deputy* have *this power from God communicated to Him*, as an endowment necessary to that power which is designed to protect, and governe others. And in case it were the act of the *People*, and not of *God* immediately, that *designes* or *nominates* the *Person* to that Office, yet doth not this *nomination* bestow this power, but *God* who alone hath that power, bestowes it on him who is thus *nominated*. In this case all that the *People* bestow, or part with by their act is their *owne liberty*, or that part of it of which they voluntarily divest themselves, that they may by *obedience* empower Him, whom they have set over them ; and that they may reasonably part with for that greater benefit of *protection from him*, which, while *he is obeyed by all*, he may be their united *obedience* to his commands be able to afford them, and could not probably without it ; now this giving up their *liberties* to one, or more, makes that man, or men a *Ruler* over them ; and being a *Ruler*, to him belongs (derived from *God*, not from *them*) that *power of life, and death*, which *Gods* forementioned decree hath enttated on the *Supreme power*, or *Ruler* ; who is therefore in that relation (of *Avenger for wrath*, or punishment) stiled by the *Apostle*, *The Minister of God*, *Rom. 13.* and not of the *People*. By this it appears that (for the originall of power) the utmost that comes from the *People*, is that of which they have the *power*, till by some act of *Gods*, or their *owne*, they have parted with it, the liberty or power of their *Persons* (or in some sort and degree, as they shall part with it, of their *bodies*, or *possessions* in like manner) but not of their *lives* ; For that other is of an higher origination ; and therefore, supposing the *power* they had parted with, should, upon any emergent, revert to them againe, yet the *power of life and death*, or of the *Sword* can never revert, because it never proceeded from them, but as the *soule* that came from *God* doth, at the falling of the *body* back to its elements, or earth, from which it was first taken, *returne to the hands of God that gave it*, so the *power of life*, the *prerogative* first, and then the *gift* or investiture of *God*, most at the dissolution of any Government, and the sup-

posed *reverting* to its principles againe, returne to its proper fountaine, to *God*, and none but him. And to imagine it to dissolve to the community of the People, is the same unreasonable, as to conceive the *immortall soule*, that one beame of *divinity* (as this *power of Life and Death* is another) to accompany the Carcasse to the Grave also. I have insisted the longer on this to make the *mistake* the more palpable, and the more impossible not to be discerned by you ; and if I could foresee any colour of reason, that could possibly pretend against this evidence, I should yet enlarge yours, and my owne trouble, to discover it ; but being, I professe, unable to mention any thing, which the grounds, which are already laid, have not prevented, I shall now proceed to the third and last way of examining this truth.

By the history of times, and there I shall be forced to retract, at least to suspend the acknowledging of that, which that I might examine it by reason, I was willing to *suppose*, but not *grant*, and shall now demand,

1. Whether by any authentick *story* it appeares, that there ever were any Nation or People in the world, who can be presumed or proved to have had this *Supreme power* vested in the *whole community originally*, or from their first comming together ? or if so, whether *Gods* judgement so visibly interposed, and the example of his instituting of *Judges*, and of *Kings*, (neither of them accountable to the People) be not to be preferred before all such presidents ?

2. If 'twere granted, that in some *one*, or more places the *power* hath been *originally* in the People, yet it will never appeare by the originalls of *all*, or of *this* Kingdome, that in *all* or in *this* it was so ; or if men will still *opiniat*, and affirme against the evidence of the *Lawes*, and *constitution* of this Kingdome, and against those *Oaths* which have for so many yeares acknowledged the seat of the *Supremacy in the King*, and *not in the People* ; yet that, which is so false in matter of fact, being taken for truth also, there will againe be matter of inquiry, in point of *reason*, which will deserve your farther most serious pondering :

1. Whether, after that the *People* have upon deliberation, and from *choice* intrusted some *one* or *more* Persons, (in any certaine course of *succession* by *Law* designed) to *Rule over them*, and after the

the *Law* hath declared the *person* of that *Supream Magistrate* not to be *accountable*, but his *Ministers* only, (which may be a *prudence* of State, more advantageous to a peoples peace, then possibly is well understood) whether, I say, in this case any number of men whatsoever, can, upon any pretence, *re-call* that *Trust*, and *void* that *Law*, by which that *KING*, and His Heires for ever, were constituted the *Ruler* of them? or if they might, whether this were not most contrary to the *end* of all Government, *quiet*, and *peace*, and probably the parent of all *confusion* in the world, which is much worse than the *hardest* subjection?

Nay 2. if it should be granted still, that the *community* of people have power to *re-call*, or void *that trust*, yet 'twill be matter of more than doubt againe, whether at *this* time in *this* Kingdome there be any way for the *whole community* to act, or whether it can by any man be reasonably believed, that what is *now* done, is *acted* by the *community* of the *People*?

For if (to that purpose) it be conceived, that the *House of Commons* is (or that the two Houses together are) the *Representative* of *all* the *People*; Then first, it is to be considered that there is a great number of men in this *Kingdome*, that are not represented by *these*, and who never put (nor can by any interpretation be thought to have put) into their hands that *power*, which is supposed to be in every *Free Commoner* in this Kingdome. 2. That you your selves have exprest your opinion, that this, which now is, is an *unequall Representative*, and have on that Consideration thought your selves obliged to *propound* another Forme. 3. 'Tis sure, that (whatever possibly might have been) yet they, that have ever till this time chosen *Knights* or *Burgesses* to the *Parliament*, did never actually put into their hands, as into their *Representatives*, *all* that *power*, which (in this case of the *Peoples* being the *Supreme Power*) is naturally supposed to be vested in them, but onely a *power* of doing those things, for which the *Writ* (sent out under the *Broad Seal*) did command them to be returned, *i. e.* to *consult* with the *KING* of the *difficult* *affaires* of the *Kingdome*, not to *settle* any part of it *without*, or *against* Him. And 4. 'Tis clear, that in such an acknowledged conjuncture of time as this is, a *small* (far lesse) part of those that were returned by the *Countries*, cannot be said to be that entire company.

pany, or body, by which the *whole community*, is represented ; Or if it be said, that the *godly People of the Land*, who by *Petitions* to the *Generall*, the *Lord Fairfax* have exprest their desires, that *Justice* be executed upon those, whom they call *Delinquents*, are to be reputed as the *community of the People* : then first, it will be clear, that those that have so *Petitioned* (beside, that they are most of the body of the *Army*) are not the thousandth part of the people of this *Kingdome*, and therefore cannot by any rule of Judgement or Estimation be reputed as the whole *Community* ; and if this *president* might be admitted, that a few persons, under the title of the *Godly*, may pretend to the right of the *whole*, tis very well worth foreseeing, how *dangerous* such *examples* may prove to the *peace* of Posterity. 2. All the evidence of their *godlineffe* that we can perceive, is onely the desiring *liberty* for themselves and others, and therefore *Justice* on those who stand in their way to that *liberty* ; and I conceive it demonstrable that a quiet *submission* and *obedience*, and a desire not to cast off their *duty*, but still to continue under it, rather then to be their own *carvers*, or contrivers of *liberty*, is a farre surer signe of *true godlenesse*. And thirdly, there hath yet been no fair indifferent means used to know whether there be not farre greater numbers of such *godly* meek men, who would rather desire that the *KING* should be restored to His Government, then that any course should be taken by any, *without* or *against* the *KING*. And the plain truth is, that if you will go on in the course you are in, and yet desire freely to appear, and be accounted the *Conservers*, and not *Conquerours* of the *liberty* of your Country-men, if you will not impose upon the people, as you say *Kings* have done ; Nothing can be more sutable to those *pretences*, then to *declare most publickly*, that it shall be free for every man to *subscribe*, whether he doth desire this totall *change* by you tendred in the draught of your *Representative*, or the continuance of the present established Government, (with an assurance of your *submission* thereunto.) 4. 'Tis (upon supposition that all *power is originally* in the *People*) most undeniable and clear, that nothing but the *consent* of each person (at least of a *major part* of the whole being convoked together) can divest any one, or more men of that their supposed *Originall right* ; and consequently, that other mens
saying

saying that they are not *Godly*, and that themselves are so, can never exlude them from their *Birthright* ; By which it will infalibly be concluded, that all those that have adhered to the KING all this time, or that favour'd the *Votes of the two Houses*, which resolv'd the KING's late Concessions at *Newport* to be a fit ground of peace (whatsoever censure or brand is by you set upon them) are as much to be considered to the making up the *community* of the *People*, as any others. And if so, Let it then be considered by all equall minded men, what a *violation* it is of those *Rights*, which you pretend to vindicate, what an invasion of the *naturall freedoms* of your Brethren (by you acknowledged, the *inheritance* of each man) to force them against their *wills*, with their very great incommodation and detriment, to *revers* to that *liberty*, which is by you supposed to belong to all *naturally*, but without which we of this Nation have happily lived, under the farre greater advantages of *Regall government*. And yet so contrary to this *principle* have you now proceeded, that when you have thus throwne us back into our first *chaos* againe, onely that you may reduce our *liberty*, you then immediately by your *Representative* so bind us up, that we are not permitted, upon whatsoever emergency, to cast our selves into any *new forme*, although the exchange should appeare never so advantagious, and gainfull to us ; which besides that, it is an evidence of your inward *fears*, that the change now designed will be soone repented of againe, is certainly so farre from being an *enlarging*, that it is the *retrenching* of our *liberty*, and denying us that *freedom*, of which the most *barbarous* and the most *civilized* People have been equally partakers, when subjection seem'd better for their turnes. As beside the examples of the *Servants* in *Exodus*, which are there supposed sometimes to preferre their servitude to their Masters before the privilege of the *Sabbathick years*, we find practis'd by the *Captives*, who voluntarily cast themselves at the feet, and surrendred themselves into the power of the *Romans*, to purchase thereby that right of being *protected* by them ; & by many *Barbarians* in *Asiatick*, who sent *Embassadors* to *Rome* on purpose to petition the favor of being receiv'd into the number of their *subjects*.

I have usur'd the longer upon this, in obedience to your owne invitation ; and thus also a great motive and encouragement to

A VINDICATION

OF

Dr. HAMMONDS *Adresse*, &c.

From the Exceptions of

EUTACTUS PHILODEM IUS,
IN TWO PARTICULARS.

Concer-
ning

{ *The Power supposed in the Jew, over
his owne Freedome.*
The No-power over a mans own life.

TOGETHER WITH

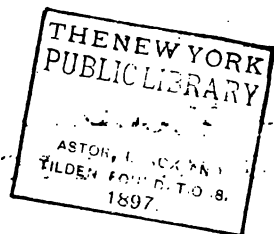
A BRIEF REPLY TO

Mr IOHN GOODWINS *Trbesedinas*,
as far as concerns Dr. HAMMOND.




L O N D O N,

Printed for R. Baylow, at the Angel in *Iwic-lane*. 1649.





A
VINDICATION
OF
Dr. HAMMONDS Adresse, &c.

S. 1.  He late Author of the *Originall, and end of Civill Power*, under the name of *Euclætus Philodemus*, hath thought fit to question two things set downe by Doctor Hammond in his *Adresse to the Generall, and Counsell of War*. The first is this Affirmation, That the Jew under Gods own Government might wholly give up himselfe, and his Freedome to his Masters Will (the power of life being onely exempted) and by having his care bored, might of a free-man, become a slave for ever.

page 5.

S. 2. The second is this Question, Whether ever any man was by God or Nature invested with power over his owne Life, i.e. to take away his owne life, or to kill himself?

page 18.

S. 3. This Affirmation, and this Question, he willingly acknowledges, and is content that the Question shall be interpreted a down-right Negation; That never any man was by God, or Nature invested with power over his owne life, or power to kill himselfe. And having thus confest the citation, as farre as concernes

him, it remains, that I proceed to justify, both parts of it. And to that end, I shall think my selfe sufficiently fortified by two advantages, which that *Author* hath been pleased to allow me in this matter.

§. 4. First, that it is not any opinion of Doctor *Hammond*, but the plaine words of *Scripture*, which are under his name, thus opposed by this *Author* in both places. The former is in *terminis*, *Exodus* 21. at the beginning, *If the servant shall plainly say, I love my Master, &c. I will not goe out free, Then his Master shall bring him to the Judges, &c. And his Master shall bore his eare thorow with an awle, and he shall serve him for ever.* And againe, *Deut.* 15. 16. *And it shall be, if he (i. e. the servant set free at the Sabbatick year) say unto thee, I will not goe away from thee, &c. Then thou shalt take an awle, and thrust it thorow his ear unto the door, and he shall be thy servant for ever, and also to thy hand-maide thou shalt doe likewise.*

§. 5. That a plaine place of *Scripture* should be thus mistaken for an Assertion of Doctor *Hammond*, I am not permitted to suspect, because that *Author* hath to his mention of the Doctors Name added the testimony of *Gen.* 21. which, though it be a mistake, I suppose, of the Printer, for *Ex.* 21. will yet be a competent testimony of that *Authors* opinion, that Doctor *Hammond* had *Moses* on his side, and consequently, that both were to be involv'd by him in the same condemnation.

§. 6. The same, I suppose, I may assume of the other *Negation* questioned by him, that 'tis in Doctor *Hammond*, but the repeating of the 6. Commandement [*thou shalt not kill*] according to the latitude, wherein all Jewish, and *Christian* Writers have interpreted it to the prohibition of *self-murder*, as hath been shewed by him at large in another place.

Præf. Cal.
l. 2. sect. 5.

§. 7. Having mentioned this first advantage against this *Author*, sufficient certainly to secure Doctor *Hammond* from his blame, and to make any *Apologie* for him unnecessary, and well-nigh scandalous (the *Word of God* being able to plead its owne cause, without the assistance of any humane *Advocate*) I have yet the benefit of a second kindnesse allowed me by this unknowne adversary; which, though *Scripture* were not of Authority with him, would encourage the Doctor not to fear the falling under his

his displeasure. That is, the unreconcilableness of those two opinions (the one with the other) which he is pleased to confront to Doctor *Hammond*, viz. that it should be *unlawfull* for a *Jew* to give up his *Freedom*, (and that *servitude* should be, as he calls it, an *unnaturall servitude*) and yet that it should be put in his power by *God* and *Nature* (for that is to affirme it *lawfull*, and agreeable to *Nature*) to take away his own *Life*, or to kill himselfe. For it being by *Job* mentioned as an *Aphorisme* of common Nature, that a man will for his life give all he hath; and in the accounts and practises of all men, that of *Liberty* being part of that all; It will consequently be unreasonable, and impossible for him that hath once affirmed the parting with ones freedom to be an *unnaturall servitude*, to deny the *killing of himself* to be an *unnaturall murder*; And therefore, having so faire advantages before me, not onely the *Scripture* in terminis on my side, but this *Adversary*, by so easie a consequence, become my *Second* also, I am (not unwillingly) perswaded to tender a brief reply to those reasons, which seeme to have drawn this Author into this casuall dispute, and to endeavour the preventing of those Errors; to which, a *Philodemius*, or popular disputer may in such an Age of *Licentiousnesse* betray others.

§. 8. To the case of the *Jewish Servant*, giving up his freedom to his *Master*, (which was by the Doctor mentioned out of *Moses*): the Authour hath framed three *Answers*.

§. 9. The first, *That it cannot be affirmed upon good and pregnant grounds, that from nature the Jew had any such power, but that God onely permitted it to be so; and the Jew, by this unnaturall servitude to his master, was a fit type of that slavery that man should be in unto Sin, to obey it in the lusts thereof; for his servants we are whom we obey.*

§. 10. To this I *Answer*, That the affirmation of *Moses* in the *Scripture*, [That this was permitted by God to the *Jewes*] is to me a good and pregnant ground that the *Jew* had this power under Gods own Government, which is all that he affirms to be affirmed by Doctor *Hammond* in that place; and therefore, the putting in those other words [Of the *Jewes* not having it from *Nature*] seemes to be on purpose designed to take off from the clearenesse, and the pregnancy of the probation, and so onely

to darken, but not to invalidate the argument.

§. 11. But then secondly, I adde, that *Gods permitting* any thing to any man, is a pregnant argument, that from *Nature* that man *hath that power*: If by *Power* we mean a *moral power*, or power of doing it *without Sin*; And if by *Gods permission* we understand his *Approbation*, as of a lawfull fact. For, thus it is certaine, that *God* never so *permits*, as to *approve*: (or not prohibit) any thing, which by the *Law of Nature* may not be done *without sinne*. For the *Law of Nature* being the *Law of God*, as truly as any *positive Law* of his promulgating; and *God* in all his *Lawes* being constant to himselfe, so farre as never to *prohibit*, and *permit* the same thing at the same time to the same men; It is most certaine, that what *God* thus *permits*, *Nature* *permits* also, *i. e.* Leaves it *lawfull* to be done, or possible without *Sinne*.

§. 12. But if by *Permission* this *Author* meanes no more then dispensation, or grant of present *Impunity*, such as in the *Jewish* *Common-wealth* was (for the *hardnesse of their hearts*): allowed in the businesse of *divorce*, or (for the multiplying of them) in *polygamy*, then it will sure rest upon him to *prove*, and not only, as he saith, to *suppose*, that *God* thus (and thus only) permitted it to be so: But this I shall suppose impossible to be proved, though it cannot lie upon me to demonstrate the *Negative*, nor shall I so much fear the probablenesse of his unprov'd groundlesse *supposition*, as to endeavour it. For indeed, what degree of *likenesse* is there betwixt those *divorces* and *polygamies*; (which were such inordinate *Liberties*) and this other of divesting himselfe of *Liberty*? Only the same that is betwixt two *Contraries*.

§. 13. I shall not need further to insist on this, both for the plaine words of *Scripture*, and because it is the acknowledgment of this very *Author*, page 18. That *this may lawfully be done for the obtaining of a greater good*, which being compared with *Rom. 3. ver. 8.* makes up a demonstration, that a man hath this *power*, *i. e.* that he may *lawfully* doe it. For 'tis not the intuition of the greatest *moral good*; much lesse of the greatest *advantage* to my self, or any other, that may make that *lawfull* which in it self is *unlawfull*, or which by *nature* man hath not power to doe.

And

§. 14. And therefore, when he addes, [*That in this the Jew was a fit type of mans slavery to sinne*] as t'will be easily granted, that he was (as *type* signifies *Image* or *Embleme*) so sure it will not prove that this *servitude* of the Jew, was an *unnaturall servitude*, any more then any other parts of the *Judaicall Law*, (which either in the intencion of the *Law-giver*, or by the wit of Man can be made an *Image* of any present state, or condition of men) can by that one Argument be proved to be *unnaturall*. For, sure all *types* are not by that one evidence of their being *types* demonstrated to be *sinfull*, especially when they are instituted, or permitted by *God*, and by that appeare to be agreeable to his *will*, in *Opposition* to, or *Variation* from which all *sinne*, or *Obliquity* consists: Or if this charge must fall singly on this *Type*, but not on all others (as sure the *Passover*, which was a *Type*, was not yet *unnaturall*, and so of the rest) then must this charge be proved by some other *medium*, then by this onely, that it is a *Type*; and till that be produced, I must think this way of discourse (which first supposes this giving up of the *Jewes Liberty* to be a *Type*, and then concludes it *unnaturall* for being such) to be the proving of *quidlibet ex quolibet*, the same with his, which first supposes a live man to be a Picture, and then sends him a challenge for being such: Certainly such reasoning is too very loose, and light, to set any good *Character* on that cause that wants such supporters.

§. 15. His second answer is yet a little more strange, and such as could not yet easily have been foreseene, or expected, That his having his ear bored was a punishment for his contempt of that *Liberty*, &c. Tis sufficiently known that this boring of the ear was the ceremony of receiving a *Servant* among the *Jewes*; and therefore, when *David* saith of *Christ*, *But mine eare hast thou opened*, 'tis acknowledg'd, that thereby was denoted his taking on him the forme of a *servant*. This boring of the ear with an awle was no very painfull thing, sure not so much as *Circumcision*; and yet 'twould be a little strange, that when a *Proselyte* was received among the *Jewes* with *Circumcision*, that should be deemed a punishment on him for his not continuing a *Gentile*, or that his Conversion to *Judaisme*, of which this was the *Ceremony*, should be thereupon counted an *unnaturall Sinne*: The answering such

Argu-

Arguments as these, would require a more chearfull, and pleasant humour, then the *times*, or *occasion* of these debates will well permit.

§. 16. The last *Answer* looks a little more demurely, *That his giving himselfe up to be a slave for ever, did referre to, and terminate in the year of Jubilee, &c. and that he did not make himself irrecoverably a slave, &c. [That this was to terminate in the year of Jubilee]* is said without farther proof, then onely of this untestified affirmation in a *Parentthesis*, *that that was the year of his freedom from that servitude which the corruption of his own Will had brought upon him*, which is the proving a thing by a bare repeating of it in other words, and onely throwing a little dirt upon it. For how doth it appear that it is a piece of *Corruption* (for a man that *loves his Master*, as the Text saith, and is better pleased with his service, then with his former liberty) thus to choose that which he likes best? Or how comes the casting off *Liberty* to be a corruption of the Will, when casting off yokes, and servitude is made capable of so good a *Character*? Had the words of Saint Paul, speaking of servants, [*If thou canst be free, use it rather*] been brought to back this bare Assertion, there had been some tolerable excuse for such a begging of the question as this: But those words extend not to a command, that every man should be obliged to be free, that can, but onely to a permission, that, if he will rather use it (*i. e.* preferre this *Liberty*) he most lawfully, and commendably may. But this Authour hath not thought fit to make this Interpretation, or account of that place necessary to be given him. As for the truth of his Affirmation, that this *Bondman with his ear bored, was released at the year of Jubilee*, 'tis that, which, as it doth not well consist with the words of *Moses*, [*He shall serve him for ever*] *Exod. 21. 6.* and *Deut. 15. 17.* so it is not proved by any other place, or made probable that [*for ever*] is not an absolute [*for ever*]. One place in *Leviticus*, there is *Chap. 25. 41.* which saith, that the poor Brother that is sold to be a bond servant, shall be free at the year of Jubilee, and proportionably the servant (spoken of by me in *Exodus* and *Deuteronomy*) is to be set free from that servitude, to which he was sold (*i. e.* the forced and constrain'd, not purely voluntarily servitude) in the seventh, or sabbatick year, and so by the same reason
in

in the *Jubilee*, which is the great *Sabbatick* (made up of seven times seven) in the place of *Leviticus*.

§. 17. But this Author must mark, that this person thus set free, is not the Jew of whom Doctor Hammond spake, but the other that hath made the *voluntary surrender* of his *Liberty*, he that, when the *Sabbatick* yeare comes (or consequently the year of *Jubilee*, which offers him the same release) resolves, that he will not goe out free, refuses to make use of the advantage of a *Jubilee*, and so hath no more releases behind; and consequently by this act of his is in an *irreversible estate*, remains a *servant for ever*. And so this more specious answer appears to have as little of truth, or substance in it, as the two former.

§. 18. To which, yet I might further adde, That in case it were granted, that the next year of *Jubilee* gave this man release also, yet would not this avoid the conclusency of this place for the lawfulnessse of giving up our *Liberty* (which is the onely point in hand) because he that can doe it for seven, or for fifty yeares, can surely doe it: and although having done it, he shall have *Liberty*, after that number of yeares, to retract, if he please, yet is this no obligation that he shall retract, but onely a priviledge that he may, which priviledge he may againe as lawfully deny himselfe to make use of, as before he did of his first *Liberty*.

§. 19. Mean while the conclusion, or close of this Authors reasoning is a little more extraordinary yet. For having from (the σβορον πασανδον of) the *Jubilee*, inferr'd that he did not make himself irrecoverably a slave, he proceeds. [And if so (i. e. sure, if he made not himselfe a slave irrecoverably) where is the warrant from God, or Nature, from passing away his freedome, or Liberty at all? and if so, how without recall, and irreversibly?] Is it possible this Author could think these conclusions demonstrated so logically, as that he should set them downe by way of question, which supposes them irrefragable at the first asking?

§. 20. For the first of them, is not the contrary most demonstrable? that if he were a slave till the year of *Jubilee*, (as tis confessed he was, and withall that he was so by Gods permission) then there s warrant from God for passing away his *Liberty* in some degree,

and for some space, though not irrevocably, Doth not he serve at all, that serves not *eternally*? or is that no warrant at all, which is such for a limited time only? Then sure are we not at all *permitted* to be men, or *warranted* by God, or *Nature*, to live in this world, because we have our *Jubilee* too, our time of *manumission* from hence.

§. 21. And for the second, what is that but a plaine *Circle*, first to infer the [not at all] from the [not irrevocably], and then in same breath, the [not irrevocably] from the [not at all.] How reconcileable this is with the Authours popular title of *Philodemus* I dispute not, but resolve, it is not the particular merit which bestowed on him that other more regular of *En-tactus*.

§. 22. And for the dexterity that is exprest in the conclusion of the whole section, [*That therefore, that absolute, and unreserved resignation of a mans native Liberty, &c. without any just condition, or adequate exchange, (which saith he, is hereby pleaded for by the Doctor) can have no rise, or origination from God, or reasonable nature*] (imposing on the Doctor directly against his sense, those words of so irrationall importance, [*without any just condition, or adequate exchange*] I shall suppose that this was an effect of the necessary wants of his cause, and a discreet praviſion that his conclusion could not subsist without such *supplies*, which made him venture on such indirect meanes.

§. 23. For Doctor *Hammond* is not such an enemy to man-kind, as to plead for such irrationall actings, or to become his advocate that makes imprudent, or *unthrifty* bargaines, (though by the strength of his *free will to evil*, he may possibly do so sometimes, and be obliged by his owne act, and justly suffer the inconveniences, and smarts of it) but resolveth, that both the *Campanians* in their *dedition*, and the *Barbarians* in their request to the *Romans*, that they might have leave to become their *servants*; and the *Jew* in *Moses's* supposition, that *loved his Master*, and prefer'd his service before his *manumission*, (I shall adde my selfe also, who professe to prefer (in my choice for my selfe) *subjection* before absolute *Liberty*, nay, before *Severaignty* it selfe, and believe it a farre more sober, and consequently rationall speech in *Saul*, 1 Sam. 9. 21. which exprest some aver-

averſation to *Samuels* propoſal about anointing him, then that other of *Absolons*, O that I were a Judge, or King, &c.) did all part with their *Liberty* upon adequate exchanges, ſuch, as they (which were the fitteſt judges what themſelves thought) did conceive to be the full worth of the commodity they parted with : And ſuch a ratiſonall power of parting with abſolute *Liberty* for ſomewhat that I like better, (i. e. for ſubjection to Government, which is, 1. in it ſelfe, farre removed from ſlavery ; and 2. is the onely way to ſecure men from the danger of it) is all that that *Addreſſe* had occaſion to aſſert, or plead for at that time.

§. 24. One thing more there is, which I may be allowed to adde, (having thus farre reply'd to all his answers) that the concluſion which was in the *Addreſſe* inferr'd from that practice of the *Jewes*, was farther confirm'd by the practice of diſverſe *Heathens*, who can neither be excuſed by the pretence of a *permiſſion*, or ſpeciall *diſpenſation* from God to doe unnaturall things (as he thinks may be affirmed of the *Jew*) nor yet were obſerved by the moſt rational *Hiſtorians* to have done any thing contrary to *Reason* or *Nature*, in changing abſolute Liberty for ſomewhat which ſeemed better, and more advantageous to them, to wit, for ſecurity, and *protection*, i. e. in changing a ſtate of common *hoſtility*, * *διώνετο* (the unhappieſt lot in nature) for that other (ſet down by the * *εἰρήνην*. *Apoſtle* as the object of their Chriſtian * *purſuite*, and *emulation*, and * *contention*) a quiet ſetled peace. The advantage of which * *φιλοῖ μεῖζον*. change, he that is not inclined to acknowledge, muſt be of a * *ἡσυχάζειν*. temper of *minde*, or body ſo diſtant from that, which God hath given me, that I ſhall not wonder, that that which ſeemes to me moſt demonſtratively aſſerted, is to him ſo farre from being acknowledged ſuch. I ſhall adde no more to the vindicating of the firſt propoſition, till I meet with the temptation of better, or more dangerous arguments againſt it.

§. 25. I proceed as briefly to the ſecond, which is propoſed in the *Addreſſe* by way of *queſtion*, Whether ever any man was by God, or Nature, inveſted with power of his owne Life, i. e. with power to take away his owne Life, to kill himſelfe ? The vindicating of which, I muſt acknowledge a taſke, to which I did not expect, that the Doctör ſhould be call'd ; having not, till now, been ſo fully convinced of the danger, and

ill consequences of favouring the excesses of those men wits, who have maintained *paradoxes*, or of the improvidence of those that have tempted others by the publishing of them.

§. 26. For certainly about two yeares since, before the time, that the *posthumous Biadav*: was set out, a man might in this Nation have adventur'd to have asked so calme a *question* [*whether a man might Lawfully kill himself?*] and not have feared a challenge in *Print* for this injury, or encroachment upon the liberty of our *Nature*. And I conceive those Lawes of our Land, which have look'd on this *selfe-slaughter*, as an inhumane crime, and punish'd it after *Death*, with the deniall of *Christian burriall*, & a marke of reproach upon the *grave*, might, when time was, have been able to have come in to the assistance of so known a *truth*; had not the sacred rites of *Christian burryall* been now so despised, and profaned, that the wanting them hath ceased to be esteemed a punishment among us; had not the Custome of *killing* other men so haras'd our Consciences, and obliterated all the remainders of written, and unwritten *Lawes*, that we need not be wondred at, if the *swords*, which have been so sleight abroad, mistake their way sometimes, and return on the owners breasts. And lastly, had not the deduction been so prone, and easie from the *Generall*, to the *particulars*, from the *Lawfulnessse* of a *Nations* destroying *it selfe*, to a *single persons* going, and doing likewise, from the justifying of *civil intestine slaughters* of the *publicke*, to that other more tolerable crime of a *single violence*.

§. 26. As it is, I shall not endeavour to perswade my selfe (as the *Pyrrhonian* in *Sextus Empiricus*, would teach me to do) that I was in a dream, when I read D. *Hammond* cited, and confuted for thus affirming; I must rather provide for the encounter, and hasten to *answer* the *arguments*, which this Author hath offered against this branch of the sixth *commandement* (as he met with it in the Doctors hands) or else twill be possible this opinion may gather *Profelytes* also in this age, wherein nothing can be said so incredible, which some men doe not make a shift to take up, and believe very contentedly.

§. 27. His first argument is drawne from the Doctors Concession, that *man hath power from God and Nature over his owne body*

body to cut, and lance it, and over his owne freedom to passe it away, from whence, if he doe any thing, he must undertake to conclude, that *therefore he hath power over his life also* ; And to doe that, he must make good these three things :

§. 28. 1. That since the confutation of the former proposition, he hath now chang'd his minde, and agrees with Doctor Hammond, that a man hath from God or Nature power over his freedom to passe it away, (for otherwise, though it will be an advantage against Doctor Hammond, who confess it, yet will it not be of use to himself who professeth the contrary) and again that he hath forgotten, what in his very last period he had affirmed [*that God doth not intrust and allow any man to have power to destroy his owne image, i. e. to take away mans life, but him, or them whom he makes Gods, i. e. Magistrates to whom he deutes his owne place*] for sure it cannot be thought, that every private man in the community of Nature, is such a Vicegerent of God, or Magistrate.

§. 29. 2. That the argument, *à minori ad majus affirmativè*, is valid, against all Logicke, viz : That he that hath power over the body, or over freedom, is supposed to have power over Life also, and so that the Surgeon, that may scarify the flesh, or cut off an Arme, may therefore as Lawfully slash the throate, and cut off the head also, and in like manner that the Master by being such, is become the Judge of his Servant, and hath among Christians that power of his Life, which he hath seldome been allowed among the worst of Heathens.

§. 30. And 3. That God, which hath put something in our power, is thereby obliged to reserve nothing to himselfe; Or that by giving us the *usus fructus*, or benefits of Life, he hath giving us the absolute dominion, and propriety of it also.

§. 31. But without either of these 3 more difficult undertakings, the Aushour hath attempted an easier way, by supposing that neither cutting of flesh, nor Parting with freedom may be endured by God or Nature, unlesse they referre to such an end, whereby a farre greater good is to be enjoyed, and obtained: that cutting or lancing (without this necessary circumstance of a greater good) is a step or degree toward selfe murther, &c. From whence the Conclusion, I suppose, must be, that by the same reason the Killing of ones selfe, may then also be conceiv'd allowable by God, when

it is referr'd by me to such an *end*, whereby a far greater good is to be enjoyed, and obtained, but never else.

§. 32. To which I shall make these clear Replies, 1. That a thing directly forbidden by God, cannot be thought approveable by him, upon the referring of it to a *morall* (much lesse if it be but an *advantageous* or *profitable*) good end. *Their damnation is just, that say, they may doe evill that good may come*: And that this is not a *begging* of the *question*; but that, indeed, *self-homicide* is evill, and forbidden by God, will be clear by remembring these three things, 1. That the command of not *killing*, is *indefinite*; and that he that *kills himselfe*, doth certainly *kill*, that he that *sheds his own blood*, *sheds the blood of a Man*: and 2. That the *Image of God* residing on him (which is the *ground* of this prohibition in *Moses, Gen. 9. 6.*) is as truly so, when 'tis beheld in the *reflexion*, as when in the *direct line*, in my self, as in any other man. 3. That the power of *Life* is *Reserved* a peculiar to God, and not communicated to the Creature, (save onely to his *Vice-gerent*) which may thus appear. God as the *Creator* of the World, and sole doner of *life* must be acknowledged to have the *dominion* over it: This *dominion* consequently is *communicated* to none but to those to whom by God it is *communicated*; To the *Magistrate* this power is given by that Law of God, whereby he prescribes the putting certain Malefactors to *Death*; and whereby he constitutes the *Magistrate* his *Vice-gerent* on Earth, and so the *executioner* of that Law, an *avenger for wrath, Rom. 13.* And whosoever will challenge the like power, must shew the like *charter*, and evidence; and if he cannot doe that, that is sufficient to prove that he *hath* it not; As 'tis sufficient to *convict* any man of the injustice of any *his* claime to *my* estate, that he cannot shew any *deed* whereby it was convey'd to *him* from *me*; And there need no other *Affirmative* proof against such an one, then that it was *once* in *me*, and it appears not how it parted from me to any other. And therefore, till some *evidence* be produced, (which I suppose will never be) that *this power* of *life* is made over from God to every *private* man, the demonstration is abundantly clear, that that power is not in any *private* man any more over *himselfe* then *others*. And it is observable to *this* very purpose, that though the *Stoicks*, to teach their Disciples *apathy*, or courage

against

against whatsoever events did talk of that sure remedy against all temporal pressures, the *going out*, or *killing themselves*, (looking on it favourably as a *refuge*, or *sanctuary* from all those things which might otherwise be phansied unsupportable) yet when they considered it this other way, (as every thing, they said, had *two handles*) i. e. in respect of *God*, who placed them here; it was generally resolved by them, viz. by *Seneca*, and the wisest of them (and the more foolish of that Sect, are seldome found to practice the contrary) that we must not on our own heads desert our station, but maintaine that ground on which our *Generall* hath set us, and waite with courage and patience, till he think fit to command us off againe. As for the other two, power over the *flesh*, and the *freedome*, the *cutting* of one, and *parting* with the other, they are no degrees toward the taking away *Life*, but on the contrary are used on purpose for the preserving of it, in its being, or well being, the one by the rules of physick, the other of policy; and therefore is the power of those allowed us by *God*, and *Nature*, because they are thus instrumentall to that end, and submitted to our discretion, because they may be so. Thus are some things referred to the *Stewards* judgement, and put into his power, to *dispose* for the good of the Family, and yet others reserv'd peculiar, and sacred in the *Masters* own hands. Thus are my *Writings* put into my *Lawyers* hand, for him to use to the preserving of my *Estate*; yet is not my *Estate* put into his power to dispose of it at his pleasure for some greater end. And the argument would be very infirme, because that power which the *Steward*, or *Lawyer* hath intrusted to him, ought not to be used by him, but in order to some good end; that therefore, that which is not so entrusted to him, may be thus assumed also. Somerayes there have alwayes been communicated from Heaven to this Earth of ours; and yet some *Flowers* of of that celestiaall *Crown*, which have been reserved as sacred, and incommunicable. And so there will be no kind of weight or conclusency in this present way of arguing, this ballancing of *flesh* or *liberty* with *Life*, till it appear also from the same, or equall evidence, that those are reserved by *God*, as *Life* appears to be. This certainly without any more help, is a full satisfaction to this argument.

But

§. 33. But then secondly, & *ex abundanti*, the *Killing my self* is no way ordinarie to good, 1. 'Tis not ordinarie to mine owne present worldly advantage, as lancing, and subjection may be, that is clear; and that is a reason why God should not give us this *Liberty*, (though if we were not able to render reasons, the Wisdom of the Law-giver were reason enough) and for future advantages to my selfe, the being with Christ, which is farre better, 1. that cannot be taken notice of by bare Nature, till that be Christianized: and then 2. according to the Christians rules, we have all reason to resolve that 'twill not be purchast by any other way, but by that which God hath prescribed toward it, i. e. by lawfull unprohibited courses. It being evident, that the Crown which is held in Gods hand shall not be dispensed to any, but those which doe νομιμως ἀδελειν, strive lawfully, and that patience of waiting till God calls, is one of the Lawes that are thus prescribed in our *ayōnes*.

§. 34. As for advantages to others, the *Publick-weal*, or peace, 'tis not imaginable, how the *killing my self* can be directly, or otherwise then by accident, ordinarie to that; whatsoever can be conceived of it, will be as sufficiently provided for by the *Magistrates* having power of life; and that he may have from God immediately, as well as he can be supposed to have it from any act of collation from me, if 'twere in my power.

§. 35. Lastly, For any morall, or Christian virtue, or yet farther, the illustrating of the Glory of our Creatour, (which alone deserve the title of good ends) 'tis not the having an unlimited power, that immediately, or directly contributes to these, but the making use of the limited powers we have, the employing the lives which he hath given us, according to his will, and not the destroying them contrary to it, I shall not need to prosecute this. All that is in this place pretended by the Author to this purpose; is onely this, that a man may freely consent, and willingly expose his life to death for a greater, or publiker good.

§. 36. Where by consenting I shall suppose him to mean a consent of the will to that action which immediately followes, i. e. to the exposing his life to death, (and if by consent he should mean any thing else, as the consenting, that the other shall kill him, or the making it free and lawfull to that other, to take away his Life, then

then hath he put two very distant things together, and so 'tis but the ordinary fallacy *plurium interrogationum*, and in that Notion of *Consenting* I shall anon shew that man *may not*, i. e. hath not power so to *Consent*.) And to the proving of this, it is, that his remaining endeavours (as farr as concerns Doctor Hammond) are directed. And accordingly he saith, *He will be so bold as to state the Question as it ought*, i. e. to remove it from the words and sence wherein Doctor Hammond proposed it (and in which it is that his whole discourse is grounded) to those other words of his owne, most extreemly distant in *sound* and *sence*; and in which I am as confident, that the truth is on his side, (if *Consent* signifie no more then I take it to signifie) as I am, that that truth doth not contradict those other truths, which by Doctor Hammond are superstructed on his foundation; or that the *Proposition*, as 'tis stated by the Doctor, is all that is necessary to be affirm'd for the founding of the rest of his discourse.

§. 37. For I desire to know, whether there be no difference betwixt *killing my self*, and *exposing my life to death*? If so, then it must be not onely *lawfull* so to *kill my self* (which is all the Author demands) but sometimes an act of *duty*, and *necessity* also: For so certainly (in the assisting my *Sovereign*, or Country to *hazard*, and *expose* my life, when I am thereto lawfully called; and so againe, to *suffer Martyrdome* in the confession of *Christ*, or discharge of any *Christian* duty, is not onely *lawfull* for me to doe; but I *sinne* if I doe it not. And yet I doe not perceive that this *Author* hath laid this obligation, or necessity on himselve, or any man else in any case to *kill* (or lay *violent hands* upon) himselve, and so I suppose he is still of the Doctors mind, (though he be willing to conceal it) that there is a *difference* between these.

§. 38. And if there yet want any farther light to the clearing of this difference between this [*having power of my owne life* so as to *kill my selfe*, and that [*having power of my life*, so as to *expose* it, or venture it in a *good Cause*] I shall (for the concluding of this Paper) propose the plaine difference betweene them.

§. 39. And that may be taken from the nature of the word [*exposing*] for that we know signifies no more, then to submit

it to an *hazard*, and so to *expose my life*, is to *hazard my life*: In doing so, all that can be affirm'd of me, is no more then this, that I am *willing*, or *content* (and by my actions expresse that willingnesse) to lose my life, if *God please* to permit it to be taken from me.

§. 40. When my *life* is thus lost, three things must necessarily concur to it, 1. The *Violence* of the invader; 2. The *Providence of God* permitting him to invade; and 3. My *not resisting*, or my not using the meanes (which were naturally possible for me to use) to prevent, or avoid the violence of this *invasion*, as when *Christ* might have used *Angels* (and another *flight*, and a third *compliance*, and *caution*) but chooseth not to doe so. Of these three the onely *efficient cause* of the action (of *killing*) is the malicious violent *invader*; sure neither the *providence of God* in *permitting*, nor my owne *meeknesse*, or *obedience* to *Christ* in *following* him, though it be to the very *Crosse*.

§. 41. In this case, supposing that it be for a *good End* that I now *expose my life*; it is also supposed, that the pursuance of that end is either *duty* in me, a thing that I am absolutely bound to, as the *Confession of Christ*, &c. or else that tis *excesse of Charity*, to which, though it be not under *particular* precept, yet the *Intuition of some great, and glorious end* doth so *invite*, and incline me, that tis *heroicall Virtue* in me to doe it, and that which (though *God* doth not so require it of me, as that I *sinne*, if I doe it not, yet) he hath promised to *reward abundantly*, whensoever tis done *for his sake*.

§. 42. In the former of these cases, when the pursuance of that *good end* is *strict duty*, as in case I am commanded to *confesse Christ*, or to assist my *Prince* in protecting my *Country*, There as my endeavour is required of me by that *precept*, so is my *utmost* endeavour, such as I must not remit, whatsoever the *danger* be; And if that *danger* prove to be the *utmost danger*, even of my *life* it selfe, yet the *command of Constancy*, of not *fearing*, or *fainting*, and the character of *perfect love* given by *Saint John*, that it *casts out fear*, and the denunciations against the *fearfull*, or *cowardly*, doe all joyned to extend my obligation, to pursue this so necessary *End* without any receding, and if the *Crosse* it self lie in my way toward this end, to *take it up*, i. e. willingly to submit

submit to *Gods Providence*, which hath thought fit to call me to this *Tryall*, if it be even of *resisting unto blood*. And so still all that I doe, is the *constant, patient, chearfull submission* to *Gods Will* (in his *providentiall disposing* of my life, and in *permitting* the injurious to take it from me) and nothing else; an absolute choise of *Obedience*, but not of *Death*; a sacrificing to duty all *desire* of *Life*, but not otherwise undertaking to dispose of it.

§. 43. Hence is it that my *venturing* of my *Life* doth not clear, or free the *Invader*, from any degree of sinne, or guilt in thus taking it away from me. 'Twas but a *Sarcasme* or *Trope* in *Julians* Souldiers, to say, they did not wrong the *Christians* by *killing* them, but onely hasten them to their desired home: And the *Fathers* were able to answer the *Paralogisme* by the rule in *Ethickes*, distinguishing betwixt a *mixt*, and *absolute will*; and so concluding their *slaughters* to be *Injuries*, though they were willingly embraced, the *Persecutors* to be *Persecutors* still, though the other were *Martyrs*.

§. 44. Which is a *demonstrative* proof, that 'tis the *Invader*, not *Sufferer*, whose *act* the killing is supposed to be, and so that I am not in this case of *exposing my Life*, supposed to give any *Consent* that he shall *kill* me, or consequently to divest my self of the *power* of my *life*, or indeed to have any such *power* over it. For whatsoever is absolutely in my *power* to *dispose* of, that I may lawfully consent to part with; That if I doe part wirth it, *ipso facto*, 'and *jure* * becomes his, to whom I part with it (and if there be any errour in it, 'tis chargeable on the *giver*, who was thus profusely *Liberall* above the proportion :) And consequently for him to take and use it, is in *him* no sinne; As that part of my *Estate* which is in my *power*, may by me be past over to another by *gift*, and being so, is lawfully *possess'd*, and enjoy'd by the *receiver*.

* *Data eo i quo dantur, accipientis. Iurist.*

§. 45. And therefore, I say, if the lawfullness of the *exposing* my *Life* would conclude me to have a *power* over it, it must be as perfectly lawfull for the *Tyrant*, into whose hands my *Life* (in the *confessing* of *Christ*) is by me exposed, to take that *Life* from me, as 'tis for the poor man into whose hands my *goods* are by me put (in obedience to *Christs* command of *mercifulness*) to *receive*,

and carry away those goods; which being an absurdity too grosse to be defended by any, will, I suppose, incline this Author to discern the distance betwixt the questions, as the *one* is by him, and as the *other* was by Doctor Hammond proposed.

§. 46. And in like manner also, when the End pursued by me, is (though not absolutely necessary, yet) *better* and *more excellent*; there the Precept of being *faithfull* unto death, and the promise of reward made to him that layes down, or loses his life for *Christs sake*, doe as much oblige to *constancy*, at least, as much assure that such *constancy* shall be acceptable to God, (and that the more by how much greater the *hazard*, and *terrors*, and *temptations* are to the contrary) as when the particular matter of the action was under precept. And so that other *accidentall* difference will make no variation in the main, nor make it at all probable, that *exposing* my life *heroically* was not warranted by God, when *exposing* it *necessarily*, was supposed to be so: it being as certain that God doth warrant me to doe that which he *commends*, as what he strictly *commands* to me: And therefore what was said in the case of *duty*, doth as truly hold (and so needes not to be repeated againe) in this case of [*more excellent*] also.

§. 47. Having thus far proceeded, it will now be unnecessary for me to answer the *Argument*s which this *Author* addes in this matter, because the *Question* being by him changed from that, which was proposed by Doctor Hammond (and stated *Negatively*) to another, which no man can be more ready to *affirme*, and assert then that Doctor; It would be an impertinent niceness in him to refuse to have his Opinion confirmed by another mans reasons; I shall rather wish that all his proofs were demonstrative, and *effectuall* to conclude, what Doctor Hammond *affirms* with him; and onely briefly shew, that they are *ineffectuall* to prove what that Doctor *denies*, and that will soon be done by the most cursory mention of them.

§. 48. For first, I grant with him that God permitted his owne Sonne to be put to death by the hands of violent, and unjust men, but see no consequence from thence, that Christ, as a Man might lawfully have taken away his own Life; as for the phrase of *laying down the life for the sheep*, that sure signifies not the killing himself, (for

for the *goodnesse* of the *Shepherd* consists not in that) the cutting his owne throat, when the *Wolfe* invades the Flock; but the making use of his *Life* to the utmost, wherein it may be *advantageous* to the *Sheep*, and *venturing*, and hazarding it in their defence, or quarrell; yea, and contentedly suffering (not acting in) his own *death*, that he may be able to avert theirs. For this is the meaning of *ἵδεναι ψυχὴν*, to lay downe the life, (*ἰσχυρῶς εἶναι*, to venture himselfe voluntarily into danger, *παράβολον αὐτοῦ τῇ ψυχῇ*, in the notion in which the *Greek Glossaries* explain the phrase, from *παράβολον*, i. e. *σποκινδυνεύων* in *Hesychius*, and the *Latine*, *Parabolatum anima sua esse*, i. e. all one with *ἐκβάλλειν*) to expose it, not to be so *solicitous* for the defence of it, as to forgoe *duty*, or *charity*, or care of the poor *sheep* intrusted to him, for the preserving of it.

§. 49. A second Argument is by this *Author* touched on (though not formally urged by him) that the preserving whole societies from perishing is a good, and a publick end; and that the impunity of offenders being the readiest way to the dissolution, and destruction of societies, *Nature* is supposed to dictate that one man should rather justly die, than whole societies unjustly perish. This Conclusion, and Premisses, the Doctor doth, as the *Author* fore-saw, most willingly acknowledge, but withall discernes not, how it proves that a man hath power over his owne life: It will be sufficient if God by any other meanes (as by instating it in the *Prince* &c.) do place that power of life in others. The utmost which this way of arguing can pretend to conclude, is, 1. That whatsoever any man hath in his own power, that tis reasonable for him to deliver up into the *Governours* hand, (thus to make it easie, or possible to discharge his trust, and by these advantages to contribute to the publick quiet and weale.) Nay 2. that God that hath the power of life, and sees how usefull 'tis to have that vested in *Governours*, should consequently be supposed so to vest it. (And that he doth so, is the clear acknowledgment of the *Addresser*.)

§. 50. But sure it cannot extend so farre, as to make a man give (or have) that which he hath not, nor to restraints God from having the sole *Originall* power of that, which otherwise might be acknowledged to be vested in him.

§. 51. As for the *supposition*, which the *Author* here adds on the back

back of this, [*In case 10 men in the community of Nature chose one to rule over them, and one of them thus spontaneously subjected shall murder one of his fellow Subjects*] (whereupon he demands whether the ruler so set up may not by his own consent by virtue of that power he received from him among the rest, put such a Murderer to death) To this I answer, that the Governour may in this case put the Murderer to death, but this not by virtue of any power, or consent of the Murderer, but by authority from God, who alone hath the power of life; In relation to which it is that the Governour is styled *Διόνος Θεῷ*, a Minister of God, in this very notion, as he is *Ἰνδυνός τις ἰσχυρῶς*, an avenger for wrath or punisher of offenders.

§. 52. That which is in the Subjects power the Governour may have by the Subjects consent, and by virtue of the power which he received from him; And therefore it is that the power of violent resisting invaders, the right of repelling force by force, which God and Nature hath given the single man in community of Nature, is now, in case of submission to the Governour, parted with, and deposited by him, so far as refers to the Governour, and though it be founded in self-defence, yet he that thus violently resists the powers, shall receive to himselfe damnation.

§. 53. But still that which is not in the Subjects power, is not, nay cannot be vested by the subject in the Governour, but flows from an higher principle (from him that really hath the power) and comes from the Subjects consent, onely, as from the *causa sine qua non*, or by way of *resistance*; That as God communicates not this power of life to any but the Governour; so that mans Consent, that hee should be his Governour, doth remotely (and by way of condition, or qualifying of the subject to a capacity of receiving that power from God) concur to the vesting of that power in that person. Thus doth the temper of the aire contribute to the qualifying the slime, or putrid matter to receive influences from the Sonne, and then those influences beget life in it, and endow it with that higher principle, which the temper of the aire, that contributed all it could, (having not thus much in its power) could not be affirm'd to contribute to it.

§. 54. And so you see the Doctors way of stating this question doth as fully provide for the punishing of Malefactors, and
pre-

preserving of communities, as the supposing the power of life to proceed originally from the People, would be able to doe ; As he that affirms the *Soule* in every birth to be infused by God, makes as sure a provision for *Generation*, and consequently for the *preservation* of the humane species, as they that suppose the *Soul* to be *traded* from the *Parents*, as well as the *Body*.

§. 55. His last Argument is from *Rom. 5. 7.* *For a good man would dare to die*, i. e. saith he, would *wish the presence of a resolved Spirit die* ; the word [*daring*] saith he, noting a *presence of minde terrified with no dangers*. To this Argument againe, as far as by the Author it can be extended, i. e. to the acknowledgement, or concluding of the *lawfullnesse of a valiant courageous suffering of death*, either for a *publick good*, or for some act of eminent *private charity*, I am fully of the *Authors mind*.

§. 56. But the word [*dying*] in that place, signifying no more then *submission of the Will*, contentednesse, or willingnesse to *suffer death*, not by his *owne*, but by some other mans hands, and ἀντιλυσία, a taking those blowes (though never so sharp and mortall) on his *owne shoulders*, and breast, which were meant by the Enemy to another (to the *mercifull, or good man* in that Text) there is no *Logick* can conclude from hence, that a man hath any *power* over his *owne life*, to take it away from *himselfe* by any act of *force*, (as ἀνδύρνς among the Attick Writers, is, saith *Phrynicius*, used ἐν τῷ αὐτοῦ σώματι & ποῖός, *He that kills himselfe, takes upon him an Independent Authority over himselfe*) or to give it into another mans hands, so that he may without any farther *Authority* (without any investiture of the power of the *Sword* from God) *lawfully* take it from him. I shall conclude this with an observation of *Boethius*, that the *love of life* is not seated in the *Will of the Creature*, but in the *principles of Nature*. That so our lives may not be ventured on the uncertainties & hazards of our *owne passions*, or *satieties*, which may incline the will to prefer death sometimes, but in the *instincts* of that more constant immutable Rule, which alwayes prescribes the preserving of those treasures, by God and Nature entrusted to us.

§. 57. Having made this short, and suddaine returne to this Authors reasonings, Doctor *Hammond* will leave the matter most willingly, where this Author hath placed it, at the feet of

Nam ne in animalibus quidem manendi amor ex animæ voluntatibus verum ex naturæ principio venit, Nam sæpe mortem cogentibus causis, quam natura reformidat, voluntas amplectitur. de consol. Phil.

l. 3. Prof. 11.

all

all *ingenuous, and unprejudiced Readers*, and will endeavour (as unpassionately as any man) to approve himself a *Servant of Reason*, and embracer, or *friend of Truth*, *wheresoever he meets with it*; upon which score, he is content to acknowledge some Obligations to this *Author*, who hath occasioned this farther survey of his former affirmations, and given all other men some cause to be more *confirmed* in the persuasion and assurance of the truth of them. And thus much I conceive is sufficient to have said upon this occasion.

S. 58. **B**Ut it seemes the *Readers quiet* is not to be obtain'd so easily; for while that which hath been thus said was under the *Printers* hand, *Mr. John Goodwin's* *üßersodixau* came forth, and by the mention of *Doctor Hammonds* name twice in his Title page, gave reason to delay this *Vindication* so long, till it might appear whether 'twould be usefull to adde any thing to it (upon this new occasion) by way of *Post-script*. And herein it hath proved a little unluckily, that this *second Advocate* of the same cause falling upon this passage in the *Addresse* (the Subject of our present discourse) hath yet in his judgement upon it so varied from the former Author, that as he hath yeilded the question hitherto debated, and confest that *no man hath by nature the power over his owne life*; so he hath provided a new task for me, by denying the Doctors consequence from hence, [*that then this power cannot be deriv'd to Kings by Men, or from the People.*] This I confesse is somewhat strange that that should be imagined *derivable by men, or from the people*, which at the same time 'tis confest *no man hath*. I have lately learn'd a * *Scotch Proverb* from *Master Henderson*, and finde by search the meaning of it to be this plaine *English*, that nothing is derivable from any place, which was never there: and *Mr. Goodwin* acknowledges *the strength of that consequence to stand in the authority of this Maxime*, *Nihil dat quod non habet*, *Nothing gives that to another which it hath not it selfe*. And truly, I shall never desire a firmer basis for any conclusion of mine then such an acknowledged *Principle* as this. Should

pag. 22.
That cannot
e brought But,
at is not the
len.

I finde any part of my possessions in *M. Goodwins* hands, and he justifie his Title to it, by pretending the *donation*, or *sale* from *Philodemius* to him, and I produce evidence that this was never in the possession of *Philodemius*, would there be any more required of me, to conclude consequently, that 'twas not *derivable* from *Philodemius* to him? would it not be a strange reply, to say, That *this consequence depended on the Authority of a Topick Maxime*? The word [*Topicke*] I suppose to be here prefixt by him upon a designe of *diminution*, as *Topicall* is equivalent with *probable*, and oppos'd to *demonstrative*. But I hope this is not thus a *Topick Maxime*. Can any *demonstration* be more convincing, then that which is built upon a *Principle*, as acknowledg'd as any in the *Mathematicks*, and the contrary of which implies a *contradiction* [*to have, and not to have?*]

§. 59. As for the reason of denying this consequence, which *Master Goodwin* renders, because [*though no particular man hath by nature this power over his owne Life, yet as a member of community he hath, not simply a power, but a necessity lying upon him by way of duty, &c. to consent with others, that his life shall be taken from him*] 1. 'Tis not to me imaginable, that he should have a *necessity of duty* lying upon him, who hath not *simply a power*, meaning, as here he must, a *power of doing it lawfully*. And 2. For this *power*, or *necessity of consenting* onely (as that differs frō the *power of giving*) this will be of no kind of force, unless it also appear that the *Magistrate* derives the *power of life* (which is suppos'd to be in him) from this *consent* of theirs, or that it is this *consent* of theirs, and nothing else which gives him that *power*. But this is so far from being *proved*, that it is not so much as *affirm'd* by *Master Goodwin*: And on the other side 'tis clear, that the bare *consenting* that a thing shall be taken out of my hands, is very distant from the taking upon me to *give it*; the latter pretends and supposeth a *possession*, or *investiture* in the *giver*, the former doth not in the *Consenter*; and so, though the latter would be of some use (if granted) to inferre *Mr. Goodwins* conclusion, that the *power is originally from the people*, yet the former will be no way able to inferre it.

§. 60. The matter will be very visible by *example* in any *Trust*, or *Stewardship*. The *Lord* intrusts to his *Steward* the keeping of a

D.

summe.

summe of money, after that he assigns it over to some other man by *Bill of Attorney*, and legally vests his right in that other. In this case the *Steward* formerly intrusted *consents*, that that other shall take what is thus by the *Lord* assigned to him, and indeed a necessity lies upon him *by way of duty* so to doe. In this case I shall ask *M. G. from whom this money is deriv'd* to this other? from the *Lord*, or from the *Steward*? I hope he will acknowledge from the *Lord*: The same againe, when the *King* delivers a Castle by way of Trust, to be kept by one of his *Subjects*, and after assigns it over to his *Sonne*, and the *Subject* that kept it, *consents* that the *Sonne* should have it, and so the *Sonne* enters upon the possession; the case is clear, that 'tis not from the *Subject* that the *Sonne* derives this possession (though 'tis as true that the *Subject* *consents* to deliver it up) but from the *King* onely: and that Act of the *Subject* is no expression of any right in him, from him conveyable to the *Sonne*, but onely of his *Trust*, and subordination to the *King*. And this is generally the difference betwixt *Investitures* and *Trusts*: what is vested in me, I may give, or derive to another, what is intrusted onely, I cannot: the *Servant* cannot dispose of his *Masters* goods, yet that his *Masters* disposal may stand good, he may, and ought to give his consent. This is so grossely true, that 'tis pittie any longer to insist on it; and yet 'tis the very thing that the whole point in hand depends on, and was therefore, I conceive, so industriously involv'd, and obscured by Mr. *Goodwin*.

§. 61. After this, Master *Goodwin* insensibly glides into another peice of artifice; *The power of life*, saith he, is *eminently and virtually* in the people collectively taken, though not formally. And againe, *A man, and a body of men, have power over their owne lives Radically, and Virtually*, though not formally. This period of Master *Goodwin* seemes to be a new way of Answer, by applying distinction to the *Antecedent*, as the former was by denying the consequence. The *Antecedent* was [*That no man hath by nature the power over his owne life, &c.*] from whence the *Addresse* concludes that therefore [*This power cannot be deriv'd from the people*] To this Master *Goodwin* first returns his acknowledgement, *That if the consequence be right, it is a clear case, that Regall power is not originally in the people, but conferr'd on the Ruler immediately from God.*

God. This is an acknowledgement in him of the truth of the *Antecedent*, and a doubt onely of the *consequence*, which accordingly he immediately proceeds to invalidate: And therefore 'tis a little strange (and an argument that his first attempt was not very *successfull* to him) that he should now so soone returne to deny the *Antecedent*, at least to *distinguish* of it, having before so *absolutely* granted it. But to passe over this, and allow him this liberty of recalling his bounty, let us examine the force of his *distinction*.

§. 62. The force of this *distinction* doth not, I conceive, respect the *Subject* [*the people*] (as if that might be taken in two notions, either *singly*, or *collectively*) because presently, without that *distinction*, he speaks indifferently of [*A man*] and [*A body of men*] but it belongs to the *Copula*, or word [*Is*] and then it must be thus dissolv'd. *The power of life* may be said to be in a man two wayes, 1. *Formally*, 2. *Eminently* and *Virtually*, and *Radically*. This distinction of *Formaliter*, and *eminenter* hath been apply'd by *Philosophers* to the *Sun*, and *Heavenly Bodies*: of which it being by them resolv'd, that they are *simple* and free from those mixtures to which our *sublunary* bodies are subject, and yet it being apparent, that they *warme* and *heat* other things, it is thereupon defined, that they have not heat, or other qualities in them *Formally*, (*i. e.* in that manner, or kinde, that *fire* is *hot*, or we are *hot*) but *Virtually*, and *eminently*, *i. e.* that they have some other *Virtue*, or *faculty* in them, *higher*, or *more eminent* then that heat which is in *inferiour* bodies: and that that doth enable them to warme other things, though they are themselves such *pure* creatures, as not to have those grosse qualities in them. Whether this be rightly affirm'd, or onely *nicely conjectured* by *Philosophers* (for I suppose there is little known of those distant bodies beyond *conjecture*) I shall not now enquire, but onely desire to be taught by Mr. *Goodwin*, how this can be made applicable to the matter in hand, *i. e.* to the *power of life and death*. This *power*, we know, is in *God* first, and if in any *Eminently*, and *Radically*, and *Virtually*, certainly in him: And in the *Supream* *Magnificate formally*, being actually inherent in him, though not *Originally*, nor in so *eminent* a degree as in *God* it is. But can it thus be said also to be *eminently*, &c. in the *People*, *i. e.* that the *People*

have in them some *higher*, and more *eminent* *Virtue*, or faculty then the power of every man over his own life ; and that that supplies the place of that *formall* power, and that by it the *People* beget, or produce the power of life in the *Supream Magistrate*, as truly, as, if they had it *formally*, they could doe ? This is the meaning of the distinction in the ordinary, and onely notion of it, and must be it, if it be rightly appliable ; but Mr. *Goodwin* interprets his meaning of it, so farre from this, so farre from importing, or concluding the *People* to have such an *higher* power or faculty (to which [*Eminently*] and [*Virtually*] in opposition to [*Formally*] belongs) that 'tis indeed by him set downe as much *inferiour* to that power *formally* inherent. For thus he interprets it, *A Man, and a body of Men, have power over their owne lives Radically, and Virtually, in respect whercof, they may render themselves to a Magistrate, and to Lawes, which, if they violate, they must be in hazard of their lives, &c.* By this I discern two things, 1. That by this *eminent, Virtually, Radicall* power, Mr. *Goodwin* understands that (which is farre enough from the meaning of those words, and) which Logicians call a *remote*, or *indirect* power, (as that is oppos'd to an *immediate*, or *direct*) or rather a power, to which this effect is meerly *accidentall*, as if the patient were said to have power to cure himselfe, meaning thereby that he hath power to submit himself to the *Physitian*, who is able to cure him. And for Mr. *Goodwin* to assume the liberty of speaking thus largely, was not, I suppose, his want of knowledge in propriety, but his willingness to receive advantage from this abuse of words : And then 2. If this be the onely meaning of the four hard words, (*Eminently; Virtually, Radically, and Formally*) viz. that 'tis in the power of men (or the *People* in community of nature) to render themselves to a *Magistrate, and to Lawes, to which rendering 'twill be consequent, that they shall hazard their lives upon violating those Lawes*, then, I say, are Mr. *Goodwin*, and Doctor *Hammond* very well agreed ; for this his explication of that distinction is very reconcileable with those words of the *Addresse*. *This giving up their (i. e. the peoples) Liberties to one, or more, makes that man, or men, a Ruler over them, and being a Ruler, to him belongs (deriv'd from God, not from them) the power of life which Gods decree hath instated in the Supream Power, or Ruler, who is therefore in*
that

that relation of avenger for wrath or punishment, a Minister of God, Rom. 12. &c. For whence is it that their rendring themselves to a Magistrate, in Mr. Goodwins stile, brings upon them that hazard of lives, in case of violation of Lawes, unlesse it be that he hath power of their lives, placeth that power in that Magistrate to whom they have rendred, or subjected themselves? That this is God, and not the People, I will not conclude to be Mr. Goodwins opinion, because 'tis his maine designe to prove the contrary, but that those words of his, and his distinction so explained will bear that sense, I mean, that they will be true, and acknowledg'd by him, that acknowledges the power of Life to be onely in the Supream Governour, deriv'd from God, I conceive sufficiently manifest; & consequently, that though this power be said to be in the People remotely, improperly, and indirectly, and so in Mr. Goodwins notion of eminently, &c. yet 'tis not from the People, but from God onely, that the Governour hath it.

§. 63. The reply will be as ready, and easie also to all force, or concludency of his next Argument, that which is taken from the Peoples power, to make, or consent to the making of Capitall Lawes. For 1. Mr. Goodwin cannot be ignorant that it hath been sometimes in the power of Kings to make Lawes, without the addition of any consent of the people: such were the *Principum placita* among the Romans: and after it was thought fit by Princes to lay some restraint on themselves, both that they might be better advised, and more readily obeyed, then, though the peoples consent hath been deem'd necessary, yet doth this belong onely to the regulating, and modifying the exercise of this power: the Fundamentall power it selfe of life, being in the Supream Governour, before the making these Lawes; Now 'tis very easie to distinguish betwixt these two, the power, and the Regulating of the exercise of that power; the power in the grosse, and the determination of that power to this, or that particular action. The interposition of man in the latter of these, doth no way prejudice the sole privilege of God, in the donation of the former of them: As the Grace of God is his peculiar, and proper gift; and yet man may give Directions; and Rules, how we are to act by that Principle, what use it will best become us to make of that pretious talent entrusted to us. And therefore, for the great Noon-day-Truth

which Mr. *Goodwin* induceth from these, and the like considerations, viz. [*That men by nature have such a power over their lives, as voluntarily, &c. to expose them to the stroke of publique justice, in case they shall offend, &c.*] This being granted, is of no force against Doctor *Hammond*, but doth with him rather suppose a *Publique Justice* able to strike, i. e. a power of life already vested in the *Magistrate*, before this consent of the People, or abstractedly, without respect unto it. And so still it is not from this consent of the People, that this power is deriv'd to the hand of *Publick Justice*, but from some other higher principle, viz. that of God, to whom *indignis* the avenging, or punishing of offenders, peculiarly belongs, and no other, but in subordination to, and substitution from him.

§. 64. And what if the King, as M. *Goodwin* next alledgeth, have no power to take away the life of his Subjects without cause, or for every cause, but onely such as by Law are punishable with death; what if he cannot command them to be their own Executioners? Doth it follow from hence, that therefore, he hath the power of life from the People, not from God? Doth the power of God to consist in doing causelesse, or irrational things, that nothing which is exercis'd moderately, or ordinally, can be imagin'd to come from him? I shall suppose that God himselfe hath perfect dominion over the world; and yet that he observes rules of all-justice, and goodness in the exercise, and dispensing of that power, and hath not power of doing any thing contrary to those rules of eternal justice; which he hath prescribed to himself; which to do by all wise men hath been counted an act of imbecility, not of power. And consequently, how naturall is it that he should thus determine, and limit his deputies also? give them power of life over their Subjects, and yet command them to exercise that power with that just temperament, which either naturall, or civill, or municipall Lawes shall dictate, and prescribe them? And therefore Master *Goodwin* arguing is very loose, and unconcluding; [*That if the power which the King hath over the lives of the people, were immediately from God, then he might lawfully execute the same, and take away the lives of men, without any mediating direction, or Warrant from any Law.*] For sure the same God that gives the *Magistrate* the power of life, doth command him also not to throw away that

precious trust causelessly, makes him his *Minister for wrath* to them that do *evil*, and contrary wise a *rewarder* to them that do *well*, and though he *subject* him not to any earthly *superior*, but reserve him to his own severe *tribunall*, yet he *subjects* him to *reason*, and *rules of Justice*, and (when he hath undertaken to governe by that Standard) to the *positive municipall Lawes* of that particular Kingdome also, and hath been as particular in prescribing *Lawes* to the *Prince*, to avoid *Oppression*, or acts of *Height*, as to *Subjects* to abstaine from *resistance*.

§. 65. As for that prooff which Mr. Goodwin produceth to enforce his arguing, *viz.* [*That the execution of no commission immediately issued by God, ought to be suspended upon, or determin'd, or regulated by any commission, or constitution of men.*] It is as far from truth, as it could well have been contriv'd to be : As will appear if it be considered ; that the word [*Commission*] 1. signifies not an *absolute*, or *positive Command*, but onely a *power*, or *investiture of Authority* ; or if a *Command*, yet that 2. onely an *Affirmative precept*, the nature of which is, that it binds not *ad semper*, and so consequently, may be *suspended* at some time, by the *free will* of him that hath the *Commission*, much more if any weighty *reason* interpose to *determine* his *Will*. 3. That this *Commission* is onely *Generall*, and *indefinite*, without application to particular cases, referring that *application* to the *conjuncture* and *concurrence* of circumstances, (which ordinarily are humane, and Politicall ;) and consequently to the *discretion* of *Rulers* judging by those *circumstances* : The intervencience of which circumstances makes the particular *exercise* of that *Commission* convenient, and seasonable in one *place*, and at one *time*; and consequently, where they do not intervene, there the exercise of it may be at that *time*, and *place* *suspended* as unseasonable. As when the *shedder of blood* is by God commanded to be put to death, and yet some men accidentally, and invountarily fall under that Title, it must be in the *power* of the *Magistrate*, to *suspend* the execution of that sentence, or else the *Innocent* must loose the benefit of the *City of refuge*, and run the same fortune with the most murderous designer.

§. 66. After this manner 'tis clear, that *Christ* had a *Commission* from heaven to worke *Miracles*, to cure *Diseases* ; yet 'tis particularly affirm'd of the *infidelity* of his Country-men, that that

suspended

suspended the exercise of his power for some time ; He could not doe many mighty works there because of their unbelief, yet, I hope, this will no way be thought to argue, that Christs commission issued from his Country-men, or from the belief of men, (though that were necessary, to the exercise of it) or that Christ did ill in suspending the exercise of his Commission. In like manner the people of Israel had from God not onely a commission, but command to put the nations to death, Deut. 20. 10. And yet on those of them that were left, 1 Kings. 9. 20. Solomon suspended the act of that commission, and onely levied a tribute of bond-service ver. 21. Once more ; I shall suppose a Generall to receive power of Martiall Law from the Sovereigne in any Kingdome, this power he is not willing to exercise, but by a cognizance of each malefactor's cause before a Councell of Warre. Here 'tis plain that that Councell of Warre suspends that exercise of the Generalls power upon a particular man; but sure it will no way follow from thence, that that Commission, which was suppos'd to issue to the Generall from the Sovereigne, doth now issue not from the Sovereigne, but that Councell of Warre ; and then no more will the possibility of suspending the exercise of the Kings Commission by Law, &c. conclude that Commission to issue from the People, and not from God. And therefore in the case which Mr. Goodwin hath been confident to referre to Doctor Hammond to Arbitrate [Whether the King hath any Regular or just power over the lives of men, other then that which is proportion'd, &c. by the Lawes of the State] I suppose the Doctor may agree with Mr. Goodwin, and yet never be enforc'd, or concluded by that concession, to question the Originall of the power from God, the difference being discernible between the Power it self, and every particular exercise of that power ; and the suspension of the latter, farre from including the evacuation, or cancelling of the former.

§. 67. The same answer will clear Mr. Goodwins succeeding Plea, pag. 26. That if the power of Kings over the lives of men, were by immediate derivation from God, then must this power be uniforme, &c. in all Kingdomes whatsoever.] This consequence is farre from all appearance of truth ; Because the power may be from God, and yet that God that gives the power, may leave it in the particular exercises of it, to be determined either by the arbitration,

tion, and free will, and prudence of the *Governour*, where there are no *Lawes*, or by the *Regulation of Lawes*, where there are such ; The *Dimensum*, or *proportion of power over the lives of the Subjects*, which a *Governour* claimes, consists not in *indivisibili*, in any certain, or definite point, but is that which may enable him to discharge his office of *Ruler*, i. e. to *protect* his people, and *restrain* their inordinacies. And as farre as *Reason*, and (which are supposed to be a branch of that) *particular Lawes*, (subordinate to Gods Word) see it fit to extend the *exercise of that power*, so far may that *Ruler* regularly extend it ; And whatsoever *proportion* it be, that he is intrusted with by God, 'tis not reasonable that he should irrationally extend the *exercise* of it. And this *regulation of indefinite power* by such prudent limits as these (i. e. by the *Universall law of Reason and Justice*, or by the particular conclusions, which the wisdom of *Law-givers* hath thought fit to deduce from thence) cannot justly be quarrell'd, as a *retrenchment of power*, any more, then the infinite goodnesse of God which permits him not to be able to do any thing which is contrary to that attribute, is a *manicling*, or *restraining* his *Omnipotence*, but is onely a *cultivating* and *dressing* of it, a *paring off the excesses*, and *exorbitances* of it, and leaving it a *form'd channell*, instead of a *vast or unbridled Ocean*.

§. 68. And thus I suppose the nature of *Angels* or men, which have bounds of *Virtue* and *Conscience*, and *Lawes* prescribed them, within which they are to move, and not to range unlimited in the desert of their owne uncertain propofals, cannot thereby be said to have lost the *liberty* of their *species*, or to have received *no powers* from God in their *creation*, though some *regulations* (it must be acknowledged) they are under, and consequently, *determinations* and *suspensions* for the *exercise of their powers*. And what inconvenience the affirming of this will bring upon the *Doctor*, what *hazard of blaspheming of God*, &c. I must professe my self so tame, as not to fore-see, or imagine, howsoever M. *Goodwins* ἀμετέλα ἀνδολήν hath helpt him to phan- sie such invisible *Mormes*, and *Anakims* in our passage.

§. 69. Next, it is but affirm'd, and not at all made probable by Mr. *Goodwin*, that the *Affirming the Kings power over the lives of the people to be by immediate derivation from God*, is to

smite them with blindness, &c. and not to discover to them the Dan and Bersheba (I suppose he means by this trope, the due bounds and limits) of such their power.] I am sorry Mr. Goodwin should think it fit that such popular harangues should be admitted to supply the place of reason, and shall briefly reply, That they that affirme the power of the Sword to be from God derived to Magistrates, doe at the same time define, and affirme, that those Magistrates are to remaine rationally creatures, and to continue under the Sovereignty of Reason, and all the branches of that, as farre as their particulars are concerned in it, i. e. to be ruled by the Universall Lawes of Justice and Equity, by the Civill Sanctions which tend to the preserving of Societies, and consequently by the particular Locall, or municipall Lawes of any Country, which are supposed to have a peculiar propriety toward the preserving, and regulating of that People.

§. 70. 'Twill now be to little purpose to prove that these two affirmations are reconcileable, the one deriving the power of life to the Ruler from God, the other acknowledging the regulation of this power by these bounds: For there is no kind of repugnance, or contradiction, nothing but accord and amity between them: The very Hand of God that conferres this power, gives this very direction, and Law for the exercise of it, that they that rule other men should themselves be guided by Reason in all their actions: And what that Reason is in each particular emergent, they are not alwayes, or onely, the Judicials of Moses, which are fit to direct us, but the wisdom sometimes of Particular Laws, and Law-makers. And so there is small danger either of ensnaring Kings, or disturbing States, (as he seemes willing to fear) by this doctrine; which though it define the Originall of this power to be from Heaven, can yet allow the regulation of this power for the Exercise of it to be of an inferiour, Humane, Politicall Origin.

§. 71. One Argument more Mr. Goodwin is pleased to take in to disprove the immediate derivation of this power of life from God. Because, saith he, that derivation which is immediate from God, can by no wayes be assisted, furthered, or promoted by any creature, or second meanes, but this derivation of that power of life is at least furthered by the act of the people in electing, &c. Ergo, I shall
not:

not examine the force of his ensuing probations, which have frailties enough in them, but shall be content to suppose the most he can wish, or imagine, *viz.* That the people doe *elect*, or *choose* their *King*; In this case, saith the Doctor, *The people give not the power of their lives to that King, but by giving up their Liberties, &c. to him, nominate him to that office of supreme power, which, wheresoever it is, God superinvests with the power of life.* This is the Doctors stating of the question in his *Adresse*, and thereby the separation is evident between the *Act of the People in Electing the person of the Ruler*, and the *Act of God in conferring this power of life*. All that can be said of the former of these is that that *act of the people* is the meanes of *determining* the *Generall decree of God* (that *Rulers* shall (as his *Deputies*) have the *power of life*) to this particular person, not that it is an *assistent*, or sociall cause in conveying this power to the Ruler, much lesse that it shall undertake to wrest this power out of Gods hands, and assume it into their owne; but, I say, as a *causa sine qua non*, or a previous preparation of the subject, by their choise qualifying the person to be thus *invested*, and impower'd by God. And so, though the people in this case are supposed to doe somewhat, *i. e.* to *Elect*, and that *election* to determine this power of Gods to this person, yet is this power derived solely from God, as the *Adresse* hath sufficiently explain'd, and not from any *act* of the *People*: And therefore the word [*Furthering*] in Mr. Goodwins Argument, may be taken (as an equivocall word) in a double sence, either to denote *actuell assistance*, or contribution of force, or efficacy, toward the production of the effect, *viz.* of the *power of life* in the Ruler: And in that sence it is not true, that the *Act of the People in Electing*, doth further this power, it being the sole act of Gods decree to give that power, and nothing else. Or else the word [*Furthering*] may be taken to signifie no more then *preparing*, or *qualifying* the Subject to a capacity of receiving this power from God, (as *John Baptist* prepared mens hearts for the receiving of *Christ*, when he came, but had nothing to do in the *mission* of him, which was the sole work of God) and thus indeed, the *Election of the People* may further the derivation of this power from God to such a particular Ruler; And there is nothing more ordinary then for Gods workes to be thus *farthered* by second causes, or meanes, even

his work of *Grace*, which he owne most peculiarly. The resemblance made use of in the *Adresse*, is very commodious to clear this whole matter. In the *Generation* of a child, the parents are acknowledged to contribute much, to be not onely *furtherers*, but even *efficient* in the production, Yet is it commonly agreed, that *God* creates, infuses, and inspires the Soul immediately. I need not examine, or attest the truth of the ordinary opinion, that the soule comes from *heaven*, not from the *Parents*; because I now use it as a resemblance onely, and that it may be allowed to be, though it should not be true, and thus far at least it will be *argumentative*, that the *electing* of the person of the *Ruler* by the *people*, doth no more conclude that the *power of life* is not superinfused and derived to the *Ruler* (so chosen) from heaven, then the parents begetting of the child is an argument, that the *soule* is not superinfused from *God*. Our *Phænomena* may be all very happily solved by this way of setting it; and M. G. exceptions superseded, and the conclusion cleared, which was the onely one, which the *Adresse* desired to infer by this consideration, *viz.* That *whatsoever were supposed of the peoples electing their Ruler, yet the Supreme power neither is nor can be in the community of the people by force, meerly of their Originall, or naturall Liberty*, upon this firme ground (not yet shaken by M. G. or *Philodemius*) that the *power of life*, which is part of the *Supream Power*, is not part of the *naturall Liberty*, nor consequently either inherent in the *Community of men*, nor by them communicable to any *Representative*. ὁ πρῶτος δὲ δεικνύει, The onely thing, which this rejoynder (as the former discourse) was designed to demonstrate most irrefragably.

§. 72. And having proceeded thus farre to make returne to M. Goodwins offers of *reason*, I shall not endeavour to make payment to his *Scoffer*, pag. 28. or vindicate Doctor Hammond from his charge of *overweeningnesse*, &c. Though 'tis not at all intelligible to me, how those words in the *Adresse* (*For it is possible that I may put you in minde of an evident truth, which perhaps you have not taken notice of*) should be chargeable with this *οἰστρολογία*, or interpretable to any farther sense, then onely this, That this truth so evident in Doctor Hammonds opinion, was not by him conceived to be sufficiently taken notice of, or laid to heart by them, to whom he then made his *Adresse*. And if that Doctor were

were therein mistaken, or if he be justly charged in his next page (together with the rest of his perswasion, under the title of *the Whole Legion of the Royall Faction*) as the *first-borne* of that *evil-Generation of Flatterers*, for producing plain Arguments of Reason, and Scripture to avert, that which appear'd to him a heavy Sinne, and Judgement, from a Nation; I must then betake my selfe to my *Prayers*, that God will forgive me my more discernible sinnes, (when innocencies, and good-offices to mankind are become so culpable) and get out of his company as soone as I can, who can so readily shift the discourse from *reasoning* to *defaming*, and supply with *reproaches* what was wanting in *Arguments*.

§. 73. I am now come to amend of this debate concerning the Power of life, but cannot be so prudent, or thrifty of my paines, as to dissemble the other exceptions, which (in this book) Master Goodwin hath made to some other parts of the *Adresse*; I shall give you as brief an account of them as is possible.

§. 74. The fift, is his dislike of that *Critick annotation*, as he styles it, of the *Royall Doctor*, taking notice that the *Supream Power, or Ruler* is styled by the *Apostle*, Rom. 13. *the Minister of God, and not of the people*. How this comes to be styled a *Critick annotation*, (which supposes it a *Grammaticall* one, (as *τεχνην, ἐξηγητικὴν, κερταίν*), are the parts *divisive* of *ὑποματινὴν*) where there is no use made of *Grammar* to deduce it, nor indeed of any thing but of the plaine words, as they lie in the Text) I have not the skill, or sagacity to divine. All that Doctor Hammond affirms is this, that the *Supream power*, Rom. 13. *is styled by the Apostle, the Minister of God, and not of the people*. And is not this manifest to any that looks on Rom. 13. 4. where he is twice styled *διδάσκων & Θεῷ*, the *Minister of God*, and is neither there, nor any where-else styled the *Minister of the People*.

§. 75. But, saith M. Goodwin, This no way infringes the credit of his conclusion, that *Kings are the Servants and Ministers of the People*. The *Apostles* were the *Ministers of God*, and yet they preach themselves also the servants of Men, 2 Cor. 4. 5. and *Ministers of the Saints*, Rom. 15. 25. &c. To this I answer, that the phrase *διδάσκων & Θεῷ*, *Minister of God*, signifies a *Minister of Gods Ordination, and Institution*, and though it may signifie somewhat

Vi. Mosch
Gram. Gr

else, yet this is the onely notion wherein Doctor *Hammond* takes it in his *Addresse*, according to *Rom. 13.* of which he speaks, where the powers are said to be ordained by God, and to be his Ordinance. Now he that is thus a *Minister of God*, cannot be so also of the *People*, because these two Ordinations being incompatible, he that holds by one, must needs disclaime holding by the other. Another notion there may be of the phrase, as it signifies performing of service to God; and so indeed the same *Apostle* that serves God, may be a servant of Men also, and to that, all M. *Goodwins* probations are directed, and though S. *Paul*es διακονῶν ἐν τοῖς, his carrying of almes, and contributions to the poor Saints, be no very proper instance to this purpose; yet thus 'tis acknowledg'd, that S. *Paul* may be a servant of Men, and performe offices of Humility to them, (though by the way this *Servant* of theirs behaves himself sometimes very like a Master, and comes with a Rod when he sees it convenient.)

§. 76. But this is nothing to the purpose to infer the *King* to be διακονῶν ἀνθρώπων, a *Minister of the People* in the former notion, i. e. a *Minister of the peoples Institution*; and therefore all that M. *Goodwin* addes of the Reasons why the *Ruler*, *Rom. 13.* is not called the *Minister of the people*, is very extrinsecall to that purpose. The utmost that he can enforce from that place is, that the *King attends on the publique good*. But sure that will avails as little to prove that he is not a minister of Gods instituting, or one that hath the power from him, as the Shepherds waiting over the Flock, is a proof that he is ordained, or instituted by his Sheep.

§. 77. The next undertaking of M. *Goodwin* against Doctor *Hammond*, is to prove that the *Civill Magistrate* is by S. *Peter* call'd ἀνθρώπινη κτίσις; which he renders the Ordinance, or creature of Man, because they receive their very being from the people as Kings, and as Magistrates. Doctor *Hammond* hath, I conceive, sufficiently vindicated that Text of S. *Peter* from this interpretation, and 'twere easie to shew, that the phrase ἀνθρώπινη κτίσις must by all analogy be rendred *Humane creature*; not Ordinance, or creature of Man; by humane creature, meaning any part of mankind; by creature of man, a thing of mans creating. The phrase to expresse the latter of these would be, κτίσμα ἀνθρώπου, taking

taking *Creature* for *production*, or *work*, and *Man* for the *artificer*, or *workman* of it; what is said in the *Addresse*, is sufficient to direct any sober man to a right understanding of that place. And M. Goodwins exceptions are very farre from perswading the contrary. As 1. [*That the King is there call'd Supream, not in respect of the community of the people, as, saith he, the Doctor supposeith, but as compar'd with subordinate Rulers.*] But this is of no force against the *Doctor* in that place, where all that he inferres from their title of *Supream*, is, that they are the very persons that are entiled the *Ordinance of God*, Ro. 13. & that is the *signall character* which he mentions in that Text, without taking notice of any other aspect of the word *Supream*, or drawing any nice conclusion from it.

§. 78. His second exception is against the concludence of a *Negative Argument*. Which I acknowledge an exception so far as to keep that Argument from being demonstrative, in case all the force of it were fetcht from the *Negative*; But that Argument from the *Negative* (or from the *Governours* not being said to be *set by the people*) is but *præsumptory* and preparative to another more forcible branch of the *Argument*, viz. that (on the contrary) *Supremacy* is affixt to the *King*, and *Subjection* for the *Lords sake*, commanded to be paid him, (as *mission from him* is affirmed of all other *Magistrates*) And both those put together, the *Kings being Supreme*, (i. e. inferior to none but God) and *Subjection* being affirmed to be due to him *for the Lords sake*, (i. e. because of the relation which he stands in to God, by whom he is said to be ordained Rom. 13.) may well enough passe for a *character* of some remarke upon the *King*, and keepe the pretended rendring of ἀρχὴν τῶν ἐκκλησιῶν, from being the necessary importance of that *text*, or the *Supreme* power from being concluded to be *originally in the people*.

§. 79. As for the *groaning of the creation, or creature* Rom. 8. which Doctor Hammond renders [*the hope of the heathen world*] tis not all M. Goodwins οὐκ αἰμαξία that will render it an improbable interpretation. That the *Heathen World* (though *without hope*, i. e. in a desperate condition in respect of salvation, as long as they remained in their idolatries) were yet so capable of receiving benefit of *Christs* coming into the world, that *Christ* is called *Desiderium omnium Gentium*, the *desire of all Nations*, in

Haggai

Haggai, and *περὶ δόξης ἔθνων*, the expectation of the *Gentiles*, in the Septuagints rendring of *Jacobs* Prophecie ; that they seeing their owne impure condition, desired the meanes of restoring their lost treasure, and consequently are said to desire *Christ*, without explicit foreknowing any thing of him, (because that which they desired was no otherwise compassable, but by him) is no nicety of the Doctors invention, but largely insisted on by *S. Augustine* in his Bookes *De Civ: Dei* ; and this one Consideration is Reply sufficient to all the inconveniences which *M. Goodwin* hath sprung in this interpretation.

§. 80. As for the other difficulties which to him seeme to presse and resist the interpreting of the following words to this sense, they are not so solemnly mentioned by *M. Goodwin* as to owne my impertinence, if I should enlarge on them; though I can assure him, that *D. Hammond* hath long since considered the whole Context, and is ready to give an account of the agreeableness of it to his present notion, whensoever it shall be seasonable. Only in favour to the Reader, he doth not unnecessarily obtrude it on him at this time, meaning to expect a fairer opportunity for that, and other the like dissertations.

§. 81. But *M. Goodwin* upon the granting of this notion of *πάντα κτίσις*, for the heathen world, hath saide upon a speciall *χρησιμότητος*, that however, It signifies the world under the consideration of being the creature or creation of God. And then he wonders why *ἀνθρώπων κτίσις* should not signify the Magistrate to be the creation of man, and how by this interpretation that conclusion of the King's being the creature of the people, is avoided. To this I answer punctually, that *M. Goodwin* being the affirmer of this doctrine, [That the King is the creature of the people] and his proove of it being those words of Saint *Peter*, where obedience is commanded to be paid *πάντι ἀνθρώπινῃ κτίσει*, as tis by him rendred, to every creation, or ordinance, or creature of man, It is certainly sufficient for *D. Hammond* (to disprove this conclusion so inferred from that place of Saint *Peter*) if he shall be able to mention another probable interpretation of those words, from whence that Conclusion will not be inferr'd; especially if by other places of Scripture he make it manifest, that that interpretation is most agreeable to the analogie of that and other Scriptures. Now this

this hath D. Hammond done, by shewing that *πῶς ἀνθρώπων κλίσις* is a phrase which needs not signifie any more then every man, or humane creature, not onely Christian, but Gentile, or Heathen also. Which if it be the entire notation of the phrase (as at this time M. Goodwin is content to grant) then sure is there no ground for him from thence to conclude, that the King is *ἀνθρώπων κλίσις* in that other so distant sense, an ordinance or creature of the people. As long as M. G. conclusion depends upon that one only notion of the phrase, so long, unlesse that he acknowledged the genuine sense of it, (as certainly tis not, when another so distant from that, is supposed possible to be it) there is no stability to be expected to that conclusion, whose premisses are thus forfeited by his own concession.

§. 81. As for the Doctors Answer to the supposed Objection, (where by the parallel command of honouring all, ver. 17. he infers the limitation of the Subject, *All to whom honour belongeth* there, (i. e. superiours, not inferiours) and so here, *every humane creature*, (i. e. every such, that is in place of Magistracie) certainly M. G. hath failed much in his attempt to invalidate it, by affirming that that Apostle, in his command to honour all, supposeth a debt of honour due from every man to every man, according to that of the Rom. 12. 10. *In honour preferring one another.* For to this I answer, that the meaning of 1 Pet. 2. 17. cannot sure so properly be fetcht from Rom. 12. 10. as it may from the circumstances of the Text and verses on each side of it in the place of S. Peter. In the former verses, 13. and 14. the words clearly refer to the doctrine of obedience to Superiours, and so ver. 15. the mention of *Gods Will* [that by well-doing we should put to silence the ignorance of foolish men] (i. e. that by obeying of our Superiours we should take off the Scandall that lay on Christianity, as if it made men *ill Subjects*, ver. 16.) doth plenarily belong also to the same matter. So again, *honouring the King* in the end of the 17. ver. and *servants obeying their Masters*, ver. 18. are very forward to concurre with this notion; And the precept of *loving the brotherhood*, i. e. their fellow-Christians, and of *fearing God*, (from which *fear* the honour divides upon his Vice-gerent) will no way prejudice this notion of the honour there spoken of, that it belongs onely to the debt of inferiours to superiours; and so that the [*All*] are onely those *all* that are thus capable of it.

§. 83. As for the *honouring of Widows* (by Master Goodwin mention'd from Saint Paul to Timothy) that sure is not applicable to this matter, since the *honour* there, is the *relieving*, or *feeding* of them, giving them that *honour of supply*, which is acknowledged to be another notion of the Word, not that which in the fifth Commandement, and those other places, is the principall importance of it.

§. 84. As little reason hath Mr. Goodwyn to conclude that the precept of *being Subject one to another*, 1. Pet. 5. 5. should not be a precept of *obedience to Superiors*, when the words immediately precedent are, *Likewise ye younger submit your selves to the Elders*, and those *Elders*, ver. 2. the ποιμάνοντες & ἐπισκοποῦντες, the *Pastors and Bishops of the Church*. 'Tis possible indeed, that the [*one another*] may be, *Others* beside *Superiors*, but sure tis not so probably so, when that which immediately precedes, is *Submission to Elders*, to which the subjection here added, is not a phrase of *diminution*, but of *addition* rather, and when *Gods resisting the proud*, that immediately followes, is, saith Saint Augustine, (as in the Poet, *debellare superbos*) the direct contrary to *Subjectis parcere*, the giving *pardon*, or *grace*, to the *obedient Subjects*. And thus I conceive the parallel words of Saint Paul, Eph. 2. 21. *Submitting your selves one to another*] are most probably to be interpreted, to those among you who are in any relation of *superiority*, for so it followes immediately, ver. 22. *Wives submit your selves to your own husbands*, &c. Whereas, when he returns to the *husbands duty* toward the *wife*, it is not *submission* but *love* only, v. 25. Other places I might easily mention, where the word (ἀλλήλους) may very well signifie no more then *others*. So the ἐξομολογῶντες ἀλλήλοις τὰ περὶ ἁμαρτίας, *confesse your faults one to another*, Jam. 5. 16. cannot farther be extended then to a direction to the *sick* to make *confession of his sins*, whether to *others* simply, or to those *others* whom he hath *injur'd*, but obligeth not them that are in *health* to *confesse their sins reciprocally* or back againe to the *sick*, and so in the next words [*and pray v. ὑπὲρ ἀλλήλων, for one another*] that is, that the brethren in *health* should *pray for them that are sick*, and not *reciprocally* that the *sick* should *pray for them in health*, the end of the prayer there mention'd being ἵνα ἰαθῇτε, *that ye may be healed*; which end, and close doth, I conceive, confine

fine the discourse to the *sick* first to *confesse*, and to the *healthy*, after to *pray* for the *sick* and no more. And so φιλόξενοι εἰς ἀλλήλους, 1 Pet. 4. 9. notes *hospitality* to the *strangers* that wanted, and not *mutually*, *reciprocally* entertainments one of the other: For though it is possible that it might note the inhabitants civility to the *travailer* first, and then that *travailleurs* repayment of the like, when he comes to be a fixt *inhabitant*, yet the word ξένοι, *strangers*, being ordinarily taken as a *species* of men in *want* (as besides some places of Scripture, I remember in *Iust. Mar. second Apolog.* speaking of the *offertory*, he saith that by that meanes the *Præfēt* became the *guardian* of *strangers*, &c. and of all that were in *want*) I conceive φιλόξενοι is no more then *kind* to that sort of *poore strangers*, and that without any expectation of being *entertain'd* by them againe, for that the *Almes-giver* should expect that returne from the *poore*, or *stranger*, is both *unreasonable* and *unchristian* also. So Luke. 12. 1. καταπατεῖν ἀλλήλους cannot be taken *reciprocally*, that they which *trod* on others were also *trod* upon by them, but that *one trod upon another* agreeable to our present sense: so Act. 7. 26. ἵνα τί ἀδικεῖτε ἀλλήλους; not that the person *injur'd* was *injuriously* also, but onely that *one injur'd the other*. And yet more plainly, Rom. 2. 15. *their thoughts excusing or accusing*; μετὰ ἑὺ ἀλλήλων, where it cannot be imagined that the thoughts *mutually* or *reciprocally* *accuse* or *excuse*, the *accusation* belonging to the *conscience*, which *accuseth* the *erronious will*, but not in like manner to the *will*, that that should *accuse* the *Conscience*. These places are added *ex abundanti*; That of *Ephes. 5.* will be able alone to serve the turne, if these others should not be thought to be *demonstrative*. I have thus briefly reply'd to these other exceptions of Mr. *Goodwin* as far as concernes that Place in Saint *Peter*, and I suppose have vindicated it from being the foundation of Mr. *Goodwin's* beloved *dogma* (which I shall desire him to shew to be the affirmation of any one ancient Father or Commentator on that place, or of any one place of Scripture besides, which might helpe to countenance it) that *Kings are the creatures of the people*.

§. 85. There are yet some old reckonings which Mr. *Goodwin* is willing to make even with the *Doctor*, and I must beg a very little patience from the reader to observe what *account* he hath given of them.

§. 86. He begins with fair words of D. H. and acknowledgments, that *having frequently heard of him, he never heard any thing but well and worth of a man, his judgement in the grand state-question of the times onely excepted.* That the discharge of his Conscience in obedience to the fifth Commandement should be thus made an exception against the Doctor, he hath sure learnt *μηδεν* neither to think strange, nor take ill at M. G. hands, remembering that some of the *Christians* which were antiently in the world, in the absence of other visible crimes, were thought worthy of all reproaches for their common profession, or being *Christians*. One thing onely I shall suppose, I have the Doctors leave to assure M. G. that it was no speciall desire to engage M. G. which caused the particular mentions, and refutations of some passages in his bookes, but onely the opinion which he had, that they might probably prove matter of seduction to the reader (and that seduction of a dangerous consequence) if such necessary antidotes were not provided to avert, or prevent the danger. D. H. I suppose, is not over-sond of such disputes, or debates as these, and is never more in constraint, then when he lies under such engagements.

§. 87. Some passages in M. G. Butchers blessing were a first great temptation to him, which, though resisted by the love of quiet, prepared him to receive more violent impressions from some remarkable sections in the *Anticavalierism*. And at last the fire kindled; and his pen gave testimony of it.

§. 88. The particulars he then took notice of in M. G. were 1. His dexterities in evacuating the force of *Tertullians* testimonies concerning the patience, and non-resistance of the *Primitive Christians*, and these are at large refuted in the tract of *Resisting* &c. pag. 10. to pag. 20. Secondly, his strange affirmation of *Gods* hiding from the first *Christians* this liberty of resisting Superiors, as part of his counsell to bring *Antichrist* into the world, and his manifesting it to us now, as a meane of casting *Antichrist* out. The latter of these two, D. H. conceived as strange, and as dangerous a Doctrine, as he ever met with, and therefore examined it to the bottome, *Resist.* pag. 21. to 28. These two maine matters of difference D. H. acknowledges to have managed against M. G. but I conceive without any thing of asperity, or excess in any

any kind, which should look like a particular desire of engaging M. G. And M. G. hath thought fit for many yeares to let these reckonings sleep without ever giving the least reply to either of them. And now that [of Gods hiding of truths from the Ancient Christians, and the helping Antichrist to his throne] hath not the fortune to be taken notice of at all. And for the other of *Tertullian*, though that be now mentioned, yet is it a little strange that no other return should be made to all the *Doctors answers*, save onely the transcribing of two or three pages from M. *Rutherford*, and M. *Fryn*, as from a paire of *Royalists*, in their two tracts of *Lex Rex*, and *Sovereigine power of Parliaments*, which sure he could not believe will be of any Authority with the *Doctor*, though he is so pleasant as to mention the friendlinessse of their judgements, and the *Doctors* in case of the late *King*: Beside this transcription, there is but one passage in those dissertations of the *Doctors*, to which he thinks fit to make reply, and that is a Grammaticall word, taken notice of πασις by the *Doctor*, viz. M. G. attributing to *Montanist*, that he call'd himself the *holy Ghost*. This D. H. d^m conceive to be hastily written by M. G. and not agreeably to the rules of the *Grammer*, unless as in *Smectymnus*, *Areopagi*, are set for the *Areopagites*, so e contra, *Montanist* were set by M. G. for *Montanus*. In this casuall incidentall charge M. G. thinks himselfe very neerly concern'd, more it seems, then in giving account either of his *Censure of Tertullians testimony* of the *Christians patience*, or of Gods hiding of Truths, and assisting Antichrist. For to justify the Grammaticallnesse of these words, [*Montanist who called himselfe the holy Ghost*] a great deale of paines is taken, and three whole pages spent on that affaire. Tis not possible I should think fit to exercise my Reader by continuing such a *Debate* as this any longer, but shall think it abundantly sufficient to assure M. G. that the English remaines still unjustified, upon this ground, that the word *Montanist* is no possessive, and if he still have inclinations to dispute it, I shall propose him this parallel: M. *Goodwin* is a *Christian*, who dyed for the sons of the world, and aske him, Whether it be Grammaticall sense to have said this. As for the deep recrimination against D. H. for using the word [*Resolve*] for concluding, or being satisfied within himselfe, &c. if this be any matter of ease on

refreshment to M. G. 'twere pity he should be denyed the *liberty* to make use of it.

S. 89: There now remains but one particular, the Doctors *accusing* M. G. of *flattery* in the Elogies bestowed upon that action of the Army, (collected in the *Addresse*, p. 6.) Whether they were thus guilty, I shall no farther dispute, but leave it to the *Reader* to determine, having no other designe in this whole *Reply*, then that M. G. may resume the consideration of his actions, and of his arguments, and remember that the matters of these debates, are of such an importance toward the publike peace, that men of our *profession* owe an account to *God* for them. And for other passages of this *Author*, wherein the *London-Ministers* are concern'd; I leave them to answer for themselves, and so conclude this Paper.

T H E E N D:







